

**PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH
September 08, 2015 – 5:00 PM**

PRESENT: Chair Pro Tem Nathan Fisher
Commissioner Diane Adams
Commissioner Don Buehner
Commissioner Julie Hullinger
Council Member Joe Bowcutt

CITY STAFF: Assistant Public Works Director Wes Jenkins
Planning & Zoning Manager John Willis
Planner II Ray Snyder
City Surveyor Todd Jacobsen
Assistant City Attorney Victoria Hales
Building & Development Office Supervisor Genna Singh

EXCUSED: Chair Ross Taylor
Commissioner Ro Wilkinson
Commissioner Todd Staheli

FLAG SALUTE

Chair Pro Tem Nathan Fisher called the meeting to order and asked Commissioner Don Buehner to lead the flag salute at 5:05 PM.

Item 3 has been removed from the agenda.

1. PRELIMINARY PLATS (PP)

- A. Consider approval of a preliminary plat for a twenty-two (22) lot single family residential subdivision development called “**Tupelo Phase 5.**” The applicant is Quality Development, LLC. The representative is Mr. Steve Kamlowsky, Development Solutions Group, Inc. The property is zoned R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size) and is located at the southwest corner of the intersection of 3230 South and 3200 East Streets. Case No. 2015-PP-024 (Staff – Wes Jenkins).

Wes Jenkins explained that the request is to use lot size averaging. This does exceed the maximum density for an R-1-8 however when Tupelo overall is accounted for the density is 3.62 units per acre.

Chair Pro Tem Nathan Fisher asked if density is reviewed per phase or per overall subdivision.

Wes Jenkins replied as long as the overall subdivision falls in line it is okay.

Assistant City Attorney Victoria Hales counseled the City would prefer that it come in by plat but we haven’t required that.

Wes Jenkins added this is the last phase in Tupelo.

Assistant City Attorney Victoria Hales asked if the overall density calculation has been provided. Wes Jenkins said we can ask for that.

MOTION: Commissioner Julie Hullinger made a motion to approve item 1a and include staff comments and subject to legal review

SECOND: Commissioner Diane Adams seconded the motion.

AYES (4)

Commissioner Don Buehner

Chair Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

NAYS (0)

Motion carries.

- B. Consider approval of a preliminary plat for a ten (10) lot commercial subdivision development called **“Dinosaur Crossing Phase 2.”** The owner is Dinosaur Crossing, LLC., the applicant is Smith’s Food and Drug Centers, and the representative is Mr. Bret Wahlen, Anderson Wahlen and Associates. The property is zoned PD-C (Planned Development Commercial) and is located at the southeast corner of the intersection of Riverside Drive and Mall Drive. Case No. 2015-PP-026 (Staff – Wes Jenkins).

Wes Jenkins explained there will be multiple access points. There will be cross access agreements created for the project. Lot 10 does fall in the floodplain. It doesn’t show on the plat. The applicant has stated that they are amending the floodplain map. If they don’t amend the map, it is allowed as long as the raise the building 2’ and meets other requirements for development in the floodplain.

Councilman Joe Bowcutt asked if there will be access from 2200 East into the project.

Wes Jenkins said it doesn’t show that but there will be. Greyhawk Apartments are ahead of the Smiths so Greyhawk will build 2200 East.

Councilman Joe Bowcutt asked if there will be access off of Trails Edge Road.

Wes Jenkins stated there will be two that are not shown at this time. The accesses will need to be shown at the final plat stage. Cross access agreements will also be needed.

Councilman Joe Bowcutt expressed that 2200 East and Trails Edge would be better than River Road or Mall Drive for access.

Assistant City Attorney Victoria Hales asked if this is subject to a development agreement.

Wes Jenkins said no.

Assistant City Attorney Victoria Hales asked if they are going to have to bring in the roadways.

Wes Jenkins explained Mall Drive has been worked through with the City. 2200 East will have to be reviewed. Trails Edge isn’t built yet. They are to improve the full width of Trails Edge. The road was going to bisect their property so the City pushed it to the outer edge.

Chair Pro Tem Nathan Fisher asked if a development agreement would be needed regarding full improvement rather than their half only.

Wes Jenkins stated staff will look into that.

Chair Pro Tem Nathan Fisher asked if 2200 East would have to be provided by this project rather than Greyhawk.

Wes Jenkins stated staff will have to look at that one as well because usually they would.

Chair Pro Tem Nathan Fisher asked if there is a decel lane on Mall Drive.

Wes Jenkins said the decel is the bulb out. There is another deceleration lane into Lot 4.

Chair Pro Tem Nathan Fisher asked if that will divide lot 6.

Wes Jenkins said it will be at the northerly side of lot 6 to encompass the access.

Councilman Joe Bowcutt asked if there is enough distance at Trails Edge for a light.

Wes Jenkins said a light is possible. I haven't measured it but there should be enough spacing there.

Commissioner Todd Staheli arrived at 5:16 pm

Wes Jenkins added that the access locations were approved some time ago. They were given three accesses.

Chair Pro Tem Nathan Fisher asked if the apartments have a round-about at the end.

Wes Jenkins explained that 2450 was and then a portion was owned by the City and wasn't going to be developed.

Chair Pro Tem Nathan Fisher replied that we anticipated with Greyhawk that most would travel Trails Edge to get down to Mall Drive.

Wes Jenkins added there is a plan to do a signal at 2450. Greyhawk does have some responsibility for the signal but an agreement has not yet been reached.

Assistant City Attorney Victoria Hales counseled this item is subject to legal.

Commissioner Diane Adams asked if including the need for cross access agreements is necessary.

Wes Jenkins said yes, those will be necessary.

Assistant City Attorney Victoria Hales added they have to share the access and most likely parking.

MOTION: Commissioner Diane Adams made a motion to approve Item 1B, preliminary plat for Dinosaur Crossing Phase 2 subject to cross access agreements and parking agreements for the development and subject to legal review.

SECOND: Commissioner Don Buehner seconded the motion.

AYES (4)

Commissioner Don Buehner

Chair Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

NAYS (0)

Motion

2. **CONDITIONAL USE PERMIT (CUP)**

Consider a request to construct a 'volcano' (pavilion / museum) at the "All Abilities Park" within the Tonaquint Park which will exceed the allowable height of thirty-five feet (35') unless a CUP is approved by council. The requested height is forty-one feet (41') to the highest point of the 'cone.' The property is located at 1851 South Dixie Drive. The zoning is R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size). The applicant is the City of St George and the representative is Mr. Mark Goble, Parks Department. Case No. 2015-CUP-011 (Staff – Ray Snyder)

Ray Snyder explained: the height is 41' to the highest point of the cone. It will be a faux volcano as part of the All Abilities Park. It will serve as a shade pavilion, display area, and attaches to a play area.

Ray addressed the applicable findings per the staff report.

A site plan has been provided. A volcano model has also been provided. The volcano in the animated video is a bit outdated.

Mark Goble presented the video for the All Abilities Park located on the sgcity.org website.

Mark Goble stated the shape has changed from the video to have more use rather than being a mound. It will have picnic tables inside as well as a ramp up to the playground. There will be sound and sensory items there are well. There will be simulated eruptions. There will be mist as an eruption and to help cool the volcano.

Commissioner Diane Adams expressed concern with rumbling and eruptions near a cemetery. Are there going to be ways to mitigate that if someone is being interred to not be interrupted?

Mark Goble said we have taken that into consideration. We have designed landscaping to shield and also want to berm the area. We will want to make sure we visit the cemetery to monitor that. Commissioner Diane Adams asked if the park will it be locked at night. I don't want to see ropes coming down the volcano.

Mark Goble said that volcano will be non-climbable. We may put up cameras. The volcano structure will have an opening so a cop driving by should be able to see into the park.

Assistant City Attorney Victoria Hales stated many parks have enforcements issues with curfew.

Mark Goble added there is a significant grade change from Dixie Drive to the park.

Assistant City Attorney Victoria Hales noted the CUP does run with the land.

MOTION: Commissioner Julie Hullinger made a motion to approve item 2 and include the findings: height 41', noise is mitigated, aesthetics will match lava rock, hours will meet normal park hours, it meets the character and purpose of the R-1-10 zone.

SECOND: Commissioner Todd Staheli seconded the motion.

AYES (5)

Commissioner Don Buehner
Chair Pro Tem Nathan Fisher
Commissioner Diane Adams
Commissioner Julie Hullinger
Commissioner Todd Staheli
NAYS (0)
Motion carries.

3. **ZONING REGULATION AMENDMENT (ZRA)**

Consider a zoning regulation amendment to amend Title 10 Zoning Regulations, Chapter 14 'Supplementary and Qualifying Regulations', Section 10-14-22 "Short Term Leases of Residential Property." Section 10-14-22.3 'Auto and Parking Regulations' to change the existing parking requirements which will allow for higher densities in dwelling units, to allow tandem parking, and to allow tandem parking in the front setback area, and to add a new section (10-14-22.5) which defines occupancy. Case No. 2015-ZRA-007 (Staff – John Willis)

Item was pulled prior to the meeting.

4. **DISCUSSIONS**

- A. Discuss as required any recent City Council Actions and other current items.
- B. TND – Criteria Manual - handout

5. **MINUTES**

Consider approval of the minutes from the March 24, 2015 meeting.
Chair Pro Tem Nathan Fisher suggested edits to the motion on page 9.

MOTION: Commissioner Diane Adams made a motion to approve the minutes with corrections.
SECOND: Commissioner Don Buehner seconded the motion.

AYES (5)

Commissioner Don Buehner
Chair Pro Tem Nathan Fisher
Commissioner Diane Adams
Commissioner Julie Hullinger
Commissioner Todd Staheli
Minutes approved.

ADJOURN

MOTION: Commissioner Diane Adams made a motion to adjourn.
SECOND: Commissioner Todd Staheli seconded the motion.
Meeting adjourned at 5:43 pm.

**PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH
September 22, 2015 – 5:00 PM**

PRESENT: Chair Ross Taylor
Commissioner Ro Wilkinson
Commissioner Todd Staheli
Commissioner Don Buehner
Commissioner Julie Hullinger
Council Member Joe Bowcutt

CITY STAFF: Assistant Public Works Director Wes Jenkins
Planning & Zoning Manager John Willis
Planner II Ray Snyder
City Surveyor Todd Jacobsen
Assistant City Attorney Victoria Hales
Building & Development Office Supervisor Genna Singh

EXCUSED: Commissioner Nathan Fisher
Commissioner Diane Adams

FLAG SALUTE

Chair Ross Taylor called the meeting to order and asked Commissioner Hullinger to lead the flag salute at 5:00 PM.

1. **FINAL PLATS (FP)** *(To be heard at the September 24, 2015 City Council meeting)*
 - A. Consider approval of a ten (10) lot residential subdivision Final Plat for “**Cornerstone Phase 3.**” The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at approximately 3150 West and 2805 South Street. The representative is Mr. Roger Bundy, R & B Surveying. Case No. 2015-FP-015. (Staff – Wes Jenkins)

Wes Jenkins presented the item. Address should be 3150 East and not West as posted in the agenda.

MOTION: Commissioner Don Buehner made a motion to recommend approval for item 1A, Cornerstone Phase 3 based on staff recommendation with the correction to the address as 3150 East 2805 South and authorize chair to sign.
SECOND: Commissioner Julie Hullinger
AYES (4)
Commissioner Ro Wilkinson
Commissioner Don Buehner
Chair Ross Taylor

Commissioner Julie Hullinger
NAYS(0)
Motion carries.

- B. Consider approval of a ten (10) lot residential subdivision Final Plat for “**Cornerstone Phase 4.**” The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size)-and is located at approximately 3150 West and 2840 South Street (south of Phase 3). The representative is Mr. Mr. Roger Bundy, R & B Surveying. Case No. 2015-FP-016. (Staff – Wes Jenkins)

Wes Jenkins presented the item. Address should be 3150 East and not West as posted in the agenda.

MOTION: Commissioner Ro Wilkinson made a motion to accept Item 1B, Cornerstone Phase 4 with the address correction of 3150 East 2840 South and authorize chair to sign.
SECOND: Commissioner Don Buehner
AYES (4)
Commissioner Ro Wilkinson
Commissioner Don Buehner
Chair Ross Taylor
Commissioner Julie Hullinger
NAYS(0)
Motion carries.

- C. Consider approval of an eight (8) lot residential subdivision Final Plat for “**Sycamore Phase 7.**” The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at approximately 2640 E 2900 S. The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-020. (Staff – Wes Jenkins)

Wes Jenkins presented the item. There will be double fronting lots that will require the privacy wall and landscape strip to be installed by the developer and then the developer will pay a 10 year maintenance fee and the City will maintain it. That will happen for each of their plats.

MOTION: Commissioner Julie Hullinger made a motion to approve Item 1C, Sycamore Phase 7 and authorize chair to sign.
SECOND: Commissioner Ro Wilkinson
AYES (4)
Commissioner Ro Wilkinson
Commissioner Don Buehner
Chair Ross Taylor
Commissioner Julie Hullinger
NAYS(0)
Motion carries.

- D. Consider approval of a ten (10) lot residential subdivision Final Plat for “**Sycamore Phase 8.**” The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at approximately 2700 E 2900 S. The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-021. (Staff – Wes Jenkins)

Wes Jenkins presented the item with no comments.

MOTION: Commissioner Don Buehner made a motion to recommend approval of final plat Item 1D, Sycamore Phase 8 based on staff recommendation and authorize chair to sign.

SECOND: Commissioner Julie Hullinger

AYES (4)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

NAYS(0)

Motion carries.

- E. Consider approval of a twenty-one (21) lot residential subdivision Final Plat for “**Tupelo Phase 2**” The property is zoned R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size) and is located at approximately 3130 east and Delany Drive 3 (in the Little Valley area). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-045. (Staff – Wes Jenkins)

Wes Jenkins presented the item. This is east of 3000 East and north of Crimson Ridge Drive. Chair Ross Taylor asked how much more growth is available in that part of the City. Wes Jenkins said there’s still a ways to go eastward.

MOTION: Commissioner Ro Wilkinson made a motion to accept Item 1E, for Tupelo Estates Phase 2 per staff recommendation and authorize chair to sign.

SECOND: Commissioner Don Buehner

Councilman Joe Bowcutt noted that there is lot size averaging associated with the plat.

AYES (4)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

NAYS(0)

Motion carries.

- F. Consider approval of a five (5) lot residential subdivision Final Plat for “**Tupelo Phase 3.**” The property is zoned R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size) and is located at Amaranth Drive and the south side of 3230 South

Street (in the Little Valley area). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-022. (Staff – Wes Jenkins)

Wes Jenkins presented the item. There will be common area associated with this plat to accommodate a pool and club house (±14,000 s.f. on the western side of Amaranth Drive). That will be owned and maintained by the HOA.

Chair Ross Taylor asked if a City park is planned in the area.

Wes Jenkins said there's discussion at the southeast corner of 3000 East and Crimson so we're working with the developer to make that detention basin a park. It may not be a park with amenities but more of a grassy area with some playground equipment but not much.

Commissioner Ro Wilkinson asked if there will be parking for the amenity.

Wes Jenkins said no, parking would be on the street. The hope is for residents to walk there.

Councilman Joe Bowcutt asked if the development of the common area development has to be approved.

Commissioner Todd Staheli arrived at 5:17 pm

Wes Jenkins explained you approve it right now. The street width does accommodate parking. They will have to annex Phase 1 into the HOA.

MOTION: Commissioner Julie Hullinger made a motion to approve Item 1F and authorize chair to sign.

SECOND: Commissioner Ro Wilkinson

Assistant City Attorney Victoria Hales questioned if all Tupelo phases are being annexed into an HOA.

Wes Jenkins explained they will bring Phase 1 into it but the other plats will be annexed in while they record. Brad (representative) has indicated that the HOA has already been created.

Assistant City Attorney Victoria Hales asked for the amenity parking to be explained.

Wes Jenkins explained that you can't have parking stalls that back onto a public street. You can do that on a private street but not public. There is no parking requirement for a private pool.

Motion was not voted on.

MOTION: Don Buehner made a motion to recommend approval to City Council of Item 1F, Tupelo Estates Phase 3 based on staff recommendation and authorize chair to sign.

SECOND: Commissioner Julie Hullinger

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

- G. Consider approval of a four (4) lot residential subdivision Final Plat for “**Tupelo Phase 4.**” The property is zoned R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size) and is located at approximately 3175 East and 3230 South Street (in the Little Valley area). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-043. (Staff – Wes Jenkins)

Wes Jenkins presented the item with no comments.

MOTION: Commissioner Ro Wilkinson made a motion to accept Item 1G, Tupelo Estates Phase 4 based on the recommendation of staff and authorize chair to sign.

SECONDED: Commissioner Todd Staheli

Councilman Joe Bowcutt stated the name needs to be clarified as either Tupelo Phase 4 or Tupelo Estates Phase 4.

Wes Jenkins said the correct name for each phase is Tupelo Estates.

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

2. **FINAL PLAT AMENDMENT (FPA) (To be heard at the September 24, 2015 City Council meeting)**

Consider approval of an amended commercial condominium subdivision final plat for “**Boulevard Centre Pad “C” Condominiums 2nd Amendment.**” The property is zoned C-4 and is located at 162 North 400 east Building C. The representative is Mr. Bob Hermandson, Bush and Gudgell. Case No. 2015-FPA-018. (Staff - Wes Jenkins)

Wes Jenkins explained the purpose is to split Unit 202 on the second floor into two units (202-A and 202-B) and split unit 302 on the third floor into two units (302-A and 302-B) and to open up the hallway to meet fire code on each floor. The main floor has 2 units which is how the second and third floor was as well. The second and third floor would now have 3 units each. The division is on half of the floor making 3 units on both the second and third floor.

MOTION: Commissioner Julie Hullinger made a motion to approve Item 2 and authorize chair to sign.

SECONDED: Commissioner Don Buehner

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner
Chair Ross Taylor
Commissioner Julie Hullinger
Commissioner Todd Staheli
NAYS (0)
Motion carries.

3. **LOT LINE ADJUSTMENT (LLA)** (To be heard at the September 24, 2015 City Council meeting)

- A. Consider approval of a lot line adjustment for property located at **496 West Diagonal Street** (northeast of the intersection of 500 West Street and Diagonal Street). The property is zone R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size). The representative is Mr. Reid Pope, Pope Engineering. Case No. 2015-LRE-023 (Staff - Wes Jenkins)

Wes Jenkins presented the item. There are currently three larger lots located in this area. They want to decrease the size of the lot with the house and merge the other lots together to make one big lot for a possible future development making two lots total.

Commissioner Don Buehner asked what the advantage is of merging the lots at this point. Wes Jenkins explained it will allow for an infill development in the future.

MOTION: Commissioner Don Buehner made a motion to recommend approval of Item 3A, lot line adjustment for ENF Investments based on staff recommendation.

SECOND: Commissioner Ro Wilkinson

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

- B. Consider approval of an easement vacation / lot line adjustment within a final plat subdivision; **“Lot 122 and 123 of the Estates at Valderra.”** The property is located at 4621 North Painted Sky Drive (within the Ledges Development). The property is zoned PD-R (Planned development Residential). The representative is Mr. Brandon Anderson, Rosenberg Associates. Case No. 2015-LRE-025 (Staff – Wes Jenkins)

Note: This will be heard by City Council as a public hearing and ordinance

Wes Jenkins presented this item. The purpose of this item is to vacate a utility easement between lots 122 and 123 and adjust the lot line south to make lot 122 bigger to accommodate a swimming pool. Both lots are owned by the same person. They are vacating the easements and shifting the lot line. The new easements will follow the new lot line. The revised graphic is in front of you.

MOTION: Commissioner Todd Staheli made a motion to approve Item 3B as shown on the revised graphic.

SECOND: Commissioner Don Buehner

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

- C. Consider approval of a lot line adjustment within a final plat subdivision; **“Lot 8, 11, and 12 of Quail Valley Estates.”** The property is located at 1558 East 1800 South (Lot 8) and 1529 East 1850 South Street (Lot 12), and 1545 East 1850 South Street (Lot 11). The property is zone R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size). Case No. 2015-LRE-024 (Staff – Wes Jenkins)

Note: This will be heard by City Council as an ordinance

Wes Jenkins presented the item. The adjustment will match the lot lines to how the fences were constructed. Lots 11 and 12 will deed land to lot 8 to make lot 8 larger. We didn't vacate the easement because the change didn't affect them in this narrow scope.

MOTION: Commissioner Julie made motion to approve Item 3C.

SECOND: Commissioner Ro Wilkinson

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

- D. Consider approval of a lot split located at **“Lot 168 in the Fort Pierce Industrial Park”** located at 1170 East Venture Drive. The property is zoned M-1 (Manufacturing). The representative is Mr. Ried Pope, L.R. Pope Engineering. Case No. 2015-LRE-026 (Staff – Wes Jenkins)

Wes Jenkins presented the item. A small building was built in the northwesterly corner of the 12 acre parcel that only needed about 2 acres leaving 10 acres for future development.

MOTION: Commissioner Ro Wilkinson made a motion based on staff recommendation to accept Item 3D, lot split for Ft. Pierce.

SECOND: Commissioner Todd Staheli

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

4. **FINAL PLATS (FP) (To be heard at the October 1, 2015 City Council meeting)**

- A. Consider approval of a thirty two (32) lot residential subdivision Final Plat for **“Bridle Gate Estates Phase 3.”** The property is zoned RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size) and is located 3030 East Street and approximately 2550 South (within the Little Valley area). The representative is Mr. Robbin Mullen, Region Engineering and Surveying. Case No. 2015-FP-046. (Staff – Wes Jenkins)

Wes Jenkins presented the item. There will be double fronting lots. There is already an equestrian trail here. The trail is owned by the Bridle Gate HOA. All the landscaping and trail along 3000 East is owned and maintained by the HOA. There is a 25’ sewer easement through Lot 50.

MOTION: Commissioner Don Buehner made a motion to recommend approval for Bridle Gate Estates Phase 3 and authorize chair to sign.

SECOND: Commissioner Ro Wilkinson

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

- B. Consider approval of a thirty two (32) lot residential subdivision Final Plat for **“Bridle Gate Estates Phase 4.”** The property is zoned RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size) and is located at approximately 3210 East and 2550

South (within the Little Valley area). The representative is Mr. Robbin Mullen, Region Engineering and Surveying. Case No. 2015-FP-047. (Staff – Wes Jenkins)

Wes Jenkins presented the item. This is for a ten (10) lot residential subdivision, not thirty-two lots as posted in the agenda. This will be the final phase of Bridle Gate Estates.

Assistant City Attorney Victoria Hales asked if both Phase 3 and Phase 4 annex into the HOA and the equestrian HOA.

Wes Jenkins said there's an overall HOA that covers the landscaping on 3000 East. The equestrian facilities are a sub HOA. You don't have to belong to that one it's an amenity that you choose to be part of.

MOTION: Commissioner Todd Staheli made a motion to approve a 10 lot residential subdivision and authorize chair to sign.

SECOND: Commissioner Don Buehner

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

- C. Consider approval of a fifteen (15) lot residential subdivision Final Plat for “**Desert Plateau Phase 3.**” The property is zoned PD-R (Planned Development Residential) and R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at Deserts Edge Drive at approximately 6270 South (within the Desert Canyons Development). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-013. (Staff – Wes Jenkins)

Wes Jenkins presented the item. Zoning is PD-R. There are land use designations per the PD and R-1-10 is the land use in that area. They are down zoning most of the area and are building more of a single family product.

Councilman Joe Bowcutt asked if it's in a PD don't we have to have more information about what will be there.

Wes Jenkins responded yes, there do need to be approved elevations and building types. It would be the same as previous homes in the area. They should submit the elevation with the preliminary plat.

Councilman Joe Bowcutt asked if there are any other phases that have been a split zone.

Wes Jenkins said yes there have been.

Councilman Joe Bowcutt questioned why we're just ignoring it and not amending the zone.

Wes Jenkins explained we didn't require an amendment because they are down zoning rather than asking for more. As long as they're not trying to go with a higher density we haven't required the amendment.

Councilman Joe Bowcutt countered that in reality it is a zone change amendment.

Assistant City Attorney Victoria Hales noted our maps show that Phase 3 is R-1-10 and that Phase 4 is possibly both R-1-10 and PD-R. We can make these two submit to legal approval. Wes Jenkins added that with the PD there are lot size designations.

Assistant City Attorney Victoria Hales said Phase 3 says on the notice that it is R-1-10 and I believe that is accurate.

Chair Ross Taylor noted that all the lots are larger than R-1-10.

Councilman Joe Bowcutt stated that someone in the future can say this project was approved without a zone change and they would want to do the same thing.

Wes Jenkins stated an applicant can build less but cannot build to a higher density. They don't want to amend the whole PD because they want the potential to use their PD-12 in the future.

Councilman Joe Bowcutt stated not having the amendment is troublesome.

Continued debate as to whether this needs to be an amendment to the PD or not

Chair Ross Taylor noted Phase 4 meets the R-1-10 as well with larger lot sizes.

Commissioner Don Buehner stated process is important and I need clarification as to why this would be a zone change.

Councilman Joe Bowcutt explained that PD zone has an approved plan for building types and elevations and this varies from that original plan.

Wes Jenkins stated staff will need to review with legal.

MOTION: Commissioner Julie Hullinger made a motion to approve Item 4C subject to legal review and authorize chair to sign.

SECOND: Commissioner Ro Wilkinson

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

- D. Consider approval of a twelve (12) lot residential subdivision Final Plat for “**Desert Plateau Phase 4.**” The property is zoned PD-R (Planned Development Residential) and R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at Barrel Roll Drive at approximately 3550 East (within the Desert Canyons

Development). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-014. (Staff – Wes Jenkins)

Wes Jenkins presented the item – see comments from previous item. The whole area is PD-R and then there were designations in the PD as to what the different uses would be.

Commissioner Don Buehner stated that this phase is in a PD-R zone and typically there should be more content for review and since we don't have that information that is a concern to me.

Wes Jenkins said they did not provide the elevation views and you can ask for that.

Chair Ross Taylor noted that when we review a PD-R we expect to see the whole project.

Wes Jenkins noted staff did make that argument and the applicant did not want to change their PD. They just want to build some units.

Chair Ross Taylor stated that to enjoy the flexibility of the PD means you have responsibility as well and we need to see that full submittal.

Wes Jenkins said they've been treating the area as R-1-10 as they go forward. They have become casual in their approach.

Councilman Joe Bowcutt said I can see this being a problem, I really can. Would lot size averaging be stated?

Wes Jenkins said they're approved for 8 DUA and up to 12 DUA in some areas.

Councilman Joe Bowcutt noted there are lots in here that are less than 10,000 s.f..

Assistant City Attorney Victoria Hales counseled if they use lot size averaging it appears to meet that. You can recommend approval, recommend denial, or require the applicant to bring forward more information.

Commissioner Don Buehner said I would like to see it tabled and have the applicant bring forward more information through a zone change.

Assistant City Attorney Victoria Hales said the zone change takes longer so that may be a problem for the applicant.

Brad Peterson said he is confused as to why you are confused. We have done this in the past with multiple phases in Desert Canyons. We didn't change anything from the preliminary plat. At the time of final plat it is my understanding that any requirements for the plat come with the preliminary plat and not the final plat. We haven't ever had requirements outlined at the final plat stage. We have not brought in any elevations for houses in the past.

Chair Ross Taylor said because you've reduced the number of units and made it less dense we haven't expected of you the things a PD-R would be required to do and we *should* have done that in the past. The PD requires that you describe in good detail how you're going to develop. That includes site plans, frontages, facades, etc. Those are all required in a PD. We've let that slip and it needs to be brought forward.

Assistant City Attorney Victoria Hales stated we missed it at the preliminary plat and potentially zone change stage. The written text should have provided the details that we would see in each phase coming in. It appears that we have done that for a number of plats where we didn't require materials boards or building elevations. The fact that we've done it wrong in the past is not a

reason to continue doing it wrong. The applicant may choose to withdraw the item or because we are at the final plat stage the Planning Commission could determine that it could go forward in this instance but you will be looking for more information in subsequent phases.

Commissioner Don Buehner said I would be comfortable with that.

Chair Ross Taylor agreed to that option as well. We apologize for our error but in the future you must present all the items of the PD.

Brad Peterson said we appreciate that. Any delays at this stage would be costly.

MOTION: Commissioner Don Buehner made a motion based on the idea that the PD-R information is not here and should have been presented with the preliminary plat, I recommend approval of this final plat subdivision zoned PD-R but reads as an R-1-10 but reiterate that slippage in the past regarding the PD phases will not continue, there must be all things that go with a PD in the preliminary plat stage in the future. With that recommendation, I also authorize chair to sign.

SECOND: Commissioner Todd Staheli

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

****NOTE - MOVED TO PUBLIC HEARING ITEM 7 PRIOR TO HEARING ITEM 5****

5. WIRELESS MASTER PLAN (WMP)

Consider a request to approve a WMP (Wireless Master Plan) for **InfoWest, Inc.** The representative is Mr. Kelly Nyberg, InfoWest. Case No. 2015-WMP-001. (Staff - Ray Snyder)

Item heard after Item 7

Ray Snyder presented Items 5 and 6 together – the presentation applies to both.

A wireless master plan (Item 5) goes to Planning Commission for approval and does not go to City Council. Item 6 is a CUP that will be a recommendation to City Council.

Mr. Nyberg has submitted a map outlining where the InfoWest towers are. 95% of their sites are on buildings. This is their second freestanding tower. The first is by a water tank and this will be as well. The purpose of the master plan is to add to it the proposed location by the water tank in the Ledges development. Item 5 is simply to allow them to have an additional site on their wireless master plan and ensure a plan exists.

For item 6 – Verizon submitted for this same location in the past and was approved. The applicant did provide a narrative and approval from the property owner regarding the location. InfoWest would like to install a 30' lattice structure. Staff feels the height not being taller than the tank and being so far away from development will not be an eye sore or very noticeable. Planning Commission must determine if being within 150' of a residential zone is acceptable. I'm not aware of any co-location for this tower.

Ray read through applicable code sections.

Because Item 6 is a CUP you will need to address the findings.

Kelly Nyberg, applicant – we may have at worst case an enclosure of 5' tall and not more than 3x5 enclosure. We want this is small as possible and may put a 2x2 box below the tower. The fencing, if required is to keep people away from the tower.

Commissioner Todd Staheli asked if the tower is for just InfoWest.

Kelly Nyberg said yes, there will not be co-location at this tower.

Commissioner Todd Staheli asked if we want them to go taller to allow for co-location.

Chair Ross Taylor noted the City does encourage co-location to reduce the number of towers.

Kelly Nyberg said we are open to any co-location that the City may have but there isn't additional need at this location.

Councilman Joe Bowcutt stated if you put a 100' co-locatable tower there you'll get a lot of flack. Keeping it in line with the water tank would be best.

Commissioner Ro Wilkinson asked how this tower will better the area.

Kelly Nyberg said anyone who can see the tower should get service and benefit from it.

Commissioner Todd Staheli asked if the tower will it be blocked from line of site by the tank.

Kelly Nyberg said no, the position will allow access to all the residents.

Commissioner Don Buehner asked if the tank is 30' tall.

Kelly Nyberg said the tank is taller than the tower.

Assistant City Attorney Victoria Hales asked staff if fencing is required.

Ray Snyder said we're used to seeing 100' towers that have large sheds and fencing. If there's a structure there I think they should fence it. Page 3 of the staff report states if there's an accessory building to the antennae that is to be fenced or monopole towers must be fenced.

Kelly Nyberg showed an example out of Ray's presentation of a tower located in St. George that has a small enclosure and is fenced.

Assistant City Attorney Victoria Hales asked if fencing is proposed at this location.

Kelly Nyberg said if required we will. It's not in the plans but we can.

Commissioner Todd Staheli said I believe it should be fenced.

Ray Snyder said you can require a 6' fence in the CUP. The CUP will also need to address height, aesthetics, and character and purpose of the zone.

MOTION: Commissioner Julie Hullinger made a motion to approve Item 5 wireless master plan and to recommend approval of Item 6 CUP and require a 6' fence around the tower and include the findings aesthetics to be compatible, meet any safety requirements, height is 30' and that it does maintain the character and purpose of the zone.

SECOND: Commissioner Todd Staheli

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

6. CONDITIONAL USE PERMIT (CUP)

Consider a request to construct a thirty foot (30') high telecommunications tower and related equipment in the Ledges Development (south of Winchester Hills) adjacent to the existing blue water tank. The applicant is InfoWest Inc. and the representative is Mr. Kelly Nyberg. Case No. 2015-CUP-012 (Staff – Ray Snyder)

Please see Item 5 – items were heard together and a motion regarding both items was made.

7. ZONING REGULATION AMENDMENTS (ZRA)

Consider a zoning regulation amendment to amend sections pertaining to short term rental parking: Title 10 Zoning Regulations, Chapter 14 'Supplementary and Qualifying Regulations', Section 10-14-22 "Short Term Leases of Residential Property." Section 10-14-22.3 'Auto and Parking Regulations' to change the existing parking requirements which will allow for higher densities in dwelling units, to allow tandem parking, and to allow tandem parking in the front setback area, add a new section (10-14-22.5) which defines occupancy. Consider amendments pertaining to parking in: Title 10 Zoning Regulations, Chapter 19 'Off Street Parking Requirements' Section 10-19-3 "Access to Individual Parking Spaces" and Section 10-19-4 "Residential Area Requirements" and Chapter 8 'Planned Development Zone' Section 10-8-5 (D)(d) "Residential Development Standards." Case No. 2015-ZRA-007 (Staff – John Willis)

Item heard prior to Item 5.

John Willis presented the following:

This is a proposal to modify the regulations in regards to short term rental parking regulations. The proposal is to delete what is currently listed and replace it with new language. This is a zone regulation amendment so even though the applicant has a specific property to address this language is City wide. The applicant did provide language but staff also went through and

proposed language. The amendment is specific to a PD-R zone where you can request short term rentals under certain criteria such as unit count, amenities, etc.

John Willis read through the applicant's proposed language.

Staff was concerned with enforcement when reading through the applicant's proposal so staff took a different approach to the proposal.

John Willis read through staff's recommended language.

These standards would only be applicable to single family or two family rentals.

Chair Ross Taylor asked if two family units is in regards to lock outs or duplexes. John Willis stated it is for both a lock out or duplex.

John continued to read the proposed language.

There would need to be a garage it cannot be a carport.

John continued to read the proposed language.

As we reviewed the code we wanted to ensure there were no conflicts. We are proposing to remove a section in 10-8-5(D)(1)(d) to eliminate conflict.

Councilman Joe Bowcutt noted we should not confuse this parking requirement with the requirements that will be set forth on short term leasing in residential ares. This is only for places in resort overlay right?

John Willis said that is correct. The applicant's interest is Shinava Ridge/Inn at Entrada.

Commissioner Don Buehner asked staff if there are any other concerns regarding the proposal. John Willis stated the proposed staff ordinance is more straight-forward. The current code is difficult to administer.

Assistant City Attorney Victoria Hales noted this applies to those size units only. It doesn't apply to the bigger projects in the resort overlays.

Chair Ross Taylor opened the public hearing.

Diamond McPherson –We support this change and have worked hard to get here.

Councilman Joe Bowcutt said it will be much easier to monitor.

Chair Ross Taylor closed the public hearing.

MOTION: Commissioner Ro Wilkinson made a motion to accept the zoning regulation
--

amendment for short term rentals per staff's proposal.

SECONDED: Commissioner Don Buehner.

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

ADJOURN

MOTION: Commissioner Todd Staheli made a motion to adjourn.

SECONDED: Commissioner Don Buehner

Meeting adjourned at 7:00 pm

**PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH
October 13, 2015 – 5:00 PM**

PRESENT: Chair Ross Taylor
Commissioner Ro Wilkinson
Commissioner Todd Staheli
Commissioner Don Buehner
Commissioner Julie Hullinger
Commissioner Nathan Fisher
Commissioner Diane Adams
Council Member Joe Bowcutt

CITY STAFF: Assistant Public Works Director Wes Jenkins
Planning & Zoning Manager John Willis
Planner II Ray Snyder
City Surveyor Todd Jacobsen
Assistant City Attorney Victoria Hales
Building & Development Office Supervisor Genna Singh

EXCUSED:

FLAG SALUTE

Chair Ross Taylor called the meeting to order and asked Councilman Joe Bowcutt to lead the flag salute at 5:03 pm.

1. **FINAL PLATS (FP)**

- A. Consider approval of a ten (10) lot residential subdivision Final Plat for “**Desert Crest Phase 2.**” The property is zoned PD-R (Planned Development Residential) and is located at approximately 3600 East and 6000 South (north side of Desert Canyons Parkway). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-044. (Staff – Wes Jenkins)

Wes Jenkins presented the item. There were elevations submitted with the original PD approval. The homes to be built in this area are to meet these elevation views.

Assistant City Attorney Victoria Hales stated this item is subject to legal and obtaining open space.

<p>MOTION: Commissioner Ro Wilkinson made a motion to recommend approval of Item 1A conditioned on receiving open space and legal approval and authorize chair to sign. SECOND: Commissioner Todd Staheli AYES (7)</p>

Chair Ross Taylor
Commissioner Ro Wilkinson
Commissioner Todd Staheli
Commissioner Don Buehner
Commissioner Julie Hullinger
Commissioner Nathan Fisher
Commissioner Diane Adams
NAYS (0)
Motion Carries

- B. Consider approval of a twenty-one (21) lot residential subdivision Final Plat for “**Desert Ridge Phase 1.**” The property is zoned PD-R (Planned Development Residential) and is located at approximately 3640 East Desert Canyons Parkway (north side of Desert Canyon Parkway). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-037. (Staff – Wes Jenkins)

Wes Jenkins presented. This will also be subject to the approved elevation views as well as open space dedication.

MOTION: Commissioner Julie Hullinger made a motion to approve Item 1b subject to legal approval and open space dedication and authorize chair to sign.

SECOND: Commissioner Diane Adams

AYES (7)

Chair Ross Taylor
Commissioner Ro Wilkinson
Commissioner Todd Staheli
Commissioner Don Buehner
Commissioner Julie Hullinger
Commissioner Nathan Fisher
Commissioner Diane Adams

NAYS (0)

Motion carries.

2. **FINAL PLAT AMENDMENT (FPA)**

Consider approval of an amended twenty-three (23) unit subdivision final plat for “**Boulder Springs Villas Phase 3 Amended.**” The property is zoned PD-R (Planned Development Residential) and is located at 1620 East 1450 South (units 36, 38, 40, and 42). The representative is Mr. Brandon Anderson, Rosenberg Associates. Case No. 2015-FPA-049. (Staff - Wes Jenkins)

Wes Jenkins presented the item. The purpose of this is to extend the lot lines of lots 36, 38, 40 and 42 and to increase the pad sizes to accommodate house designs. There is limited common area in the original plat that they will be decreasing to add to the four lots stated.

Chair Ross Taylor asked if the reduction of common area has received consent.
Wes Jenkins stated the HOA has submitted a letter stating they approve the modification.
Assistant City Attorney Victoria Hales asked if the HOA has met and voted on it, and if lots have been sold. If there is a lender we would need that consent as well.

Commissioner Don Buehner asked if the change was previously open space.
Wes Jenkins said it was and the development still meets the needed open space requirements.

Assistant City Attorney Victoria Hales asked if engineering was submitted.
Wes Jenkins said they do need to provide a letter for the slope because there is a rock wall there to retain the slope and that letter needs to state the rock wall will not affect the units in the Boulders.

MOTION: Commissioner Nathan Fisher made a motion to recommend approval of the final plat amendment and authorize chair to sign and subject to the HOA and owner consents.

SECOND: Commissioner Ro Wilkinson

AYES (7)

Chair Ross Taylor

Commissioner Ro Wilkinson

Commissioner Todd Staheli

Commissioner Don Buehner

Commissioner Julie Hullinger

Commissioner Nathan Fisher

Commissioner Diane Adams

NAYS (0)

Motion carries.

3. **GENERAL PLAN AMENDMENT (GPA)**(Public Hearing)

Consider a General Plan Amendment from OS (Open Space) to LDR (Low Density Residential), MDR (Medium Density Residential), and HDR (High Density Residential) on approximately 22.33 acres. The owner is **Bloomington Country Club** and the representative is Mr. Darcy Stewart, Managing Member. The representative is Mr. Rick Rosenberg, Rosenberg Associates. The Bloomington Golf Course, Country Club, and residences are located off of Bloomington Drive and generally westerly of the Virgin River. Case No. 2015-GPA-009 (Staff – John Willis)

John Willis presented the item: this is a general plan amendment which is heard quarterly. Tonight's decision is to determine if the land use designations requested by applicant are appropriate. There are LDR, MDR and HDR designations on the 22.33 acres. There are 3 land use designations requested. The lighter areas are proposed from OS to LDR which is about 11 acres. LDR is up to 4 units per acres. The MDR is for 5-9 units per acre. The area to the east is from OS – HDR on about 10.12 acres.

Section G is proposed as MDR. Sections L and M are proposed as HDR.

The question is if the proposed density designations make sense for the proposed locations.

Councilman Joe Bowcutt asked if all 3 density requests would have to pass to move forward. John Willis said no, the approval could be for a portion of the request or a modification of the request.

Chair Ross Taylor invited the applicant forward.

Darcy Stewart (applicant): the Bloomington board of directors came to us a few years ago and asked us to take over the club. I developed and oversee the SunRiver golf course. The City made a stand and said it would not take over the Bloomington Country Club. We were not excited about this; however the board indicated they had money to keep the golf course open through July. Allowing this area to go dry or dark would be a detriment to this area of town. We have stepped in and started renovations. The renovations to the golf course needed will cost between 4-6 million dollars. We are trying to find assets that belong to the club that we can generate funds to finance the renovations needed to save the area. We met with the neighbors a few weeks ago and continue to meet with individual property owners. The submitted plans are important to the Country Club and to keeping it alive. The portions we develop will be high class and we'll bring forward a PD zone change in the future. The importance of the high numbers is to add members to the club. This club at one time was a prestigious club and we want to return it to that level of service.

Chair Ross Taylor asked if property sales would go to a perpetual fund or to meet the immediate needs and take pressure off the golf course.

Darcy Stewart said the amenities in a PD would require a reserve study to be done. Upon completion we would bring in experts to complete that study.

Commissioner Ro Wilkinson asked if this includes all of Bloomington or just the new development.

Darcy Stewart replied we have no authority for the rest of Bloomington it would be required for just the PD. There would be deed restrictions to require membership in the club for new buyers and such. I know there are those concerned about this plan but the alternative is not appealing. We hope to be able to solve a serious problem here. We will do all we can to mitigate the concerns for those affected and are open to visiting with each person. We can't make everyone happy but we'll do what we can.

Commissioner Don Buehner asked if the club goes dark how that affects the golf course.

Darcy Stewart said the revenue into the club has been declining with an aging membership. If the club shuts down then the course shuts down. They are one in the same. Had it shut down in July then all the grass would be dead by now.

Commissioner Don Buehner asked what would happen if the proposal were to be denied.

Darcy Stewart said it would turn to natural vegetation. The lack of revenue to country clubs across the country is declining in my opinion because of the time spent to play a round of golf. The experience has been diminished by time itself. They're starting to build 6-hole courses or

different variations to appeal to a different market. The problem is keeping youth interested long enough to maintain a life-long consumer. Golf courses are expensive.

Commissioner Ro Wilkinson said if it does go under I don't see the city building a development out there. I see maybe a park or something which is also an expense to the City.

Commissioner Don Buchnersaid I see trying to preserve the beauty but if golf is being less interesting what steps are being taken to improve membership and attendance?

Darcy Stewart stated we have done research on how to renovate and make the sport more accepted. We want to develop a nice pro shop for golf and tennis and make a nice fitness center for those in the Bloomington area. We will redo the pool area for a splash pad and cabana areas. We have gutted the club itself. There are some activities and such that are successful in SunRiver and we want to add that to this area. There will be community space in the club to allow for resident use. The community feeling at SunRiver is amazing and that's what we want here too. The community center will have affordable dues to families there can be a part of it. We plan on having activities for all ages.

Councilman Joe Bowcuttasked if members not in the new subdivisions have access to the golf course. Are there levels in the club?

Darcy Stewart said yes, a \$60 membership would allow for full access to the pool, community rooms, etc. just not food and golf but they will have a discount on golf.

Commissioner Todd Staheli asked if the tennis and restaurant are all going to be part of the club.

Darcy Stewart said others in the area would be social members; we need the people using the facility to be part of the club. It will no longer be separate.

Chair Ross Taylor opened the item to the public.

Assistant City Attorney Victoria Hales noted this is for a general plan amendment so the issue is whether or not the land use is appropriate in the location and if it fits the goals of the city, not the potential zone or uses at this stage or what is proposed to be built. The request is from OS to LDR, MDR, and HDR as indicated on the map.

Richard Kolar – we have lived here since 2009. This community was the first master plan community of Utah in 1968. It's the second golf course for the City of St. George and first private club. Bloomington was annexed into the city in 1983. There is an open space covenant that you are being asked to undue. This is not the first course to go broke in Utah. It is your responsibility during the transition time is to protect that covenant for the entire master plan not just those who have rights on the golf course. The purpose of the open areas is so those driving around can see the course as well not just those who live there. To abandon the master plan is not something I believe the City should be involved in. The idea that the golf course can only survive with land sales is false. One option is to have a nonprofit golf course.

Ferrell Peterson – we have lived in Bloomington for over 38 years. The transition in Bloomington has been happening for a long time. We have an option from them to purchase our home. We've been members of the club for years but for the past 12 years we've seen this area decline. Losing the view is terrible but we have elected to go along with the new plan. It will

generate income and build this thing back up. Putting more people in here will support this facility. My wife and I support this. It will cause us difficulty and it'll be hard to lose what we have but it'll take something like this to help the area.

Dean Christensen – they wanted a through street from us to Goldenrod. I think most of us in our cul-de-sac would prefer the extension of the cul-de-sac rather than a through street. The thought is to have Goldenrod and Jacob Hamblin streets meet but with a crash gate. My house is definitely impacted because I'm going to lose the house next to me and then there will be a road by me. I feel like they need to do this. We wish there were nicer streets here and I think this will do it. It would be nice if we didn't have to change anything but we can't. Some sacrifice is in order to enhance the club.

Gail Maxwell – I have lived in this area for 43 years and am part of the Community Council in Bloomington. We are charged with keeping the area beautiful. We built the pickleball and volleyball courts as well as the flag poles. Nothing could be worse for Bloomington than for the golf course to shut down and turn into a weed patch and then have the entire thing turned into housing. If this request doesn't pass the area will go to weeds.

Dean Hoopes – my understanding is the high density is for 3 story and would block my view. I'm concerned with the high density from a traffic stand point as well.

Adolf Pecker – the developer has cut down many trees already. I'm going to have to tear down my home because it will be worthless when this is done. They are acting as if this has already been approved. They're already working out there. Who is going to ensure the windows won't be broken for the new development. This will not increase the value of my home it will take a hit. How can you play golf with houses that close? Who is going to pay for all that infrastructure? This is a disaster. You can turn this into a park and I'll pay \$20 more in property taxes. This will make for years of construction.

Steven Whitlock – Goldenrod cul-de-sac – I have lived here for 9 years and we built the house. We're faced with 2 options – see natural landscape or see a golf course. There is nothing in between. The City isn't going to spend the money to make this area a park. It's not feasible. The covenants of the land are so old and need to be updated. The whole area needs a jump start. I don't like the idea of the condos and additional housing but given the alternative it's a no brainer. The developer needs to mitigate impact as much as possible but we can't go backwards. The developer is trying to make the best of a bad situation. We shouldn't criticize yet we need to wait for the next stage to look into that further.

Anthon Temple – Wesley Powell Road – I'm affected by areas A, B, and C. Putting a house on C will obstruct my view of the house across the T – that's not bad. Wesley Powell will look better with a home there than it does now. The areas there are hard to maintain and this will benefit the area.

Garth Frong – the concerns I have are not having guidelines to develop nice property to increase my home value rather than decreasing my property values. We don't know the anticipated impact of our property values.

Melanie Cunningham – if the course should close it would be devastating but the 3 story condos would be equally devastating. We don't want to look into someone's condo patio. Adding 800 more vehicles to the area is also a concern. There needs to be a middle of the road.

Mitsy Day – Wesley Powell Road – the one issue out here is the roads out here. There are pot holes and other issues here. The roads need some attention especially if you are going to add that much additional housing in the area.

Chair Ross Taylor closed the public hearing.

Darcy Stewart said the trees that have been cut were diseased. We will plant new trees to revitalize the area. We are maintaining the golf course now and remodeling an existing clubhouse, and not building yet. When we come back for the zone change it will be a PD zone change where we will submit specific plans with design and all of that.

Commissioner Nathan Fisher noted that A, B, and C are consistent. J and H are good. E, F at low density and G at medium are also consistent. K is a large section of low density but why are L and M for high density?

Darcy Stewart said we need more people paying dues. As we get more specific into the plan we'll know better how many units we truly need. We are going to put a tunnel for patrons to use to not be up on the road. We will come back with design criteria for the golf course and the housing.

Commissioner Todd Stahel noted that for the HDR you're looking to get members to the course. Have you thought about reaching out to people in and on the outskirts of Bloomington? It sounds like you're trying to recreate something when you can tap into an existing market.

Darcy Stewart said we need Bloomington residents back in our club. If you have 400-500 full golf memberships the club can self-support that but we want to go beyond that. Our goal is for 500 full memberships and then social members on top of that. We want to fill the reserve account so we can sustain the area.

Commissioner Ro Wilkinson stated the curve that goes around there is a mess. Is the road going to be expanded?

Darcy Stewart said Bloomington Circle and Wesley Powell have some blind areas that would not be allowed today. That's not our place to make changes. The home owners there have rights but the City could improve the area. An SID is a double edged sword but having curb and gutter out there would be nice but it's not for me to say. It may be for the Bloomington Town Council.

Commissioner Ro Wilkinson noted this area has been going downhill and I appreciate this proposal.

Chair Ross Taylor said the curb and gutter has been brought up before and needs to be addressed community wide.

Commissioner Todd Stahel said the traffic with the high density is a concern to me. If they're not going to extend the street and improve that it will be problematic.

Commissioner Don Buehner said the most compelling issue for me was the open space covenant mentioned.

Assistant City Attorney Victoria Hales stated she hasn't seen the covenants mentioned. I don't know if they are perpetual or not. I do not know whether they encompass the golf course or other open space areas. Land uses do change over time.

Chair Ross Taylor asked if the covenants always carry forward with an annexation.

Assistant City Attorney Victoria Hales said if there are protective covenants they apply to the private property owners and remain with the land. It is not the same thing as the general plan land use designations. The city can amend its general plan, and it has authority to zone. But the City doesn't get involved in private property disputes over private restrictive covenants.

Commissioner Nathan Fisher said there are multiple issues. One is what is in the covenant which is a private contract term. The second is if there is required open space per an ordinance.

Assistant City Attorney Victoria Hales said that is correct. This area was annexed in from the County and was most likely annexed with loose zoning for what was already there. Annexed pieces don't always fit and we work with them as best we can.

John Willis advised that we don't put any conditions on a general plan amendment. There's no OS requirement for the area as it's R-1-10 not PD. If they move forward with a PD zone change application then the PD would require open space areas.

Chair Ross Taylor noted that for the high density the range is up to 22 units per acre. We don't have to approve it for that many when they come in at a later date.

MOTION: Commissioner Diane Adams made a motion to recommend approval of the general plan amendment for the Bloomington Country Club.

SECOND: Commissioner Julie Hullinger

DISCUSSION:

Commissioner Todd Staheli – so when they come forward with a zone change we determine the high density range from 14 – 22

John Willis – clarification that HDR is 15-22 and MHDR is 10-14

Commissioner Todd Staheli – for the high density by Vintage I am concerned there is no buffer. I also worry about the traffic.

Joe Bowcutt – with the zone change application we can build in a buffer.

Commissioner Don Buehner– I share that concern but think they'll be addressed at the future stage. I think the higher density is important for this to succeed.

Commissioner Nathan Fisher – as they put the product together there will be an opportunity to view that more closely.

AYES (7)

Chair Ross Taylor

Commissioner Ro Wilkinson

Commissioner Todd Staheli

Commissioner Don Buehner

Commissioner Julie Hullinger

Commissioner Nathan Fisher

Commissioner Diane Adams

NAYS (0)
Motion carries.

*Chair Ross Taylor called a short recess at 6:41 and called the meeting back to order at 6:50 pm
Commissioner Nathan Fisher has not yet returned.*

4. **ZONE CHANGE AMENDMENT (ZCA)** (Public Hearing)

Consider a zone change amendment request to add the 'use' of a **"Skilled Nursing Facility"** to the approved use list. The property is zoned PD-C (Planned Development Commercial) and is located at approximately 2000 East Riverside Drive. The applicant is MWE St George Medical Properties, the owner is Simlew LC, and the representative is Mr. Rich Lewis. Case No. 2015-ZCA-021 (Staff – Ray Snyder)

Ray Snyder presenting:

This is on roughly 5 acres. It is a PD zone and this is an amendment to that existing zone. There are five parcels there that will need to be merged prior to development. A site plan including landscaping has been submitted. The maximum height of the building is proposed to be 40'7" but because this is a PD zone you can approve the height as part of the PD rather than going through a CUP process. There are color renderings that show a lot of earth tones and brick. This amendment is for site approval as well as adding skilled nursing to the existing use list. The current proposal is for a single level facility with 50 rooms with two persons per room. The facility will add about 100 skilled jobs to the area. Staff recommends that the building height be approved as presented, the colors and materials, etc. and that the lots will need to be merged.

Commissioner Nathan Fisher returned at 6:56 pm.

Commissioner Diane Adams asked for clarification if the building is one story or two. There are not any facilities like this and there is a need for it.

Rob Reid, Rosenberg (representative) – it is one story with an atrium and high ceilings.

Councilman Joe Bowcutt asked for more information at the one way drive.

Rob Reid said that road is for fire access. It will also assist in circulation from the parking area. We anticipate the movement to go northward to Street A because Riverside is RI/RO.

Chair Ross Taylor opened the public hearing.

Chair Ross Taylor closed the public hearing.

Assistant City Attorney Victoria Hales said it appears to be in the erosion hazard and flood plain. Wes Jenkins stated they will have to do an erosion hazard study.

Rob Reid said the FEMA mapping shows it in the flood plain but in 2010 - 2012 there was a LOMR-F to remove the parcel but the map did not change. It is out of the flood plain but the erosion hazard will still need to be done.

MOTION: Commissioner Nathan Fisher made a motion to recommend approval of the zone change amendment.
SECOND: Commissioner Ro Wilkinson
Commissioner Nathan Fisher amended the motion to add staff recommendations and comments and that the project is subject to an erosion hazard study and verification of the LOMR-F.
SECOND: Commissioner Diane Adams
AYES (7)
Chair Ross Taylor
Commissioner Ro Wilkinson
Commissioner Todd Staheli
Commissioner Don Buehner
Commissioner Julie Hullinger
Commissioner Nathan Fisher
Commissioner Diane Adams
NAYS (0)
Motion carries.

5. **ZONE CHANGES (ZC)**(Public Hearings)

- A. Consider a zone change from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to C-3 (General Commercial) on 2.55 acres. The owner is M.C. Layton Investments, L.C. The applicant is Jennings Investments and the representative is Mr. Gilbert Jennings. The property is located between **Black Ridge Drive**, 250 West Street, and Bluff Street. Case No. 2015-ZC-022 (Staff – John Willis)

John Willis presented: The property is off of Black Ridge. The current zone is R-1-10 and is surrounded by varying types of commercial. The general plan is commercial for the property. The applicant is requesting C-3. Staff recommends approval.
Commissioner Diane Adams asked if this was a larger residential area.
John Willis said there were some R-1-10 properties in the area in the past.
Commissioner Don Buehner stated there are no single family residences in the area.

Chair Ross Taylor opened the public hearing.

Chair Ross Taylor closed the public hearing.

MOTION: Commissioner Julie Hullinger made a motion to recommend approval of Item 5a from R-1-10 to C-3 and include staff comments.
SECOND: Commissioner Diane Adams
AYES (7)
Chair Ross Taylor
Commissioner Ro Wilkinson
Commissioner Todd Staheli
Commissioner Don Buehner

Commissioner Julie Hullinger
Commissioner Nathan Fisher
Commissioner Diane Adams
NAYS (0)
Motion carries.

- B. Consider a zone change from R-1-7 (Single Family Residential 7,000 sq. ft. minimum lot size) to PD-R (Planned Development Residential) on 4.78 acres. The proposed development is called **“The Residences at 450 North Street.”** The owner is Dixie Endeavor and the representative is Mr. David Nasal. The property is located on 450 North Street between 2450 East and 3050 East Streets. Case No. 2015-ZC-020-B (Staff – John Willis)

John Willis presenting: This is a PD zone change so we will review the density, site plan, elevations, and materials. This did come forward a few meetings ago and the request has been modified to include only property north of 450 North. The current zone is R-1-7. The general plan is MDR which is 5-9 units per acre. The property is 4.78 acres and the request is for 40 units. There will be 10 units each 2 story. There will be two car garages. No privacy wall will be built on 450 North to maintain an open corridor on 450. The density is 8.36 units per acre and is part of the requested approval tonight. This is a townhouse project which requires off street parking at 2 per unit and 13 guest parking stalls. They do meet that requirement. They are providing 37% open space. The recreation area required is 8,000 s.f. and that is provided. They have provided the colored site plan as well as a materials board. Colored renderings of the buildings are in the back. There is also a landscaping plan submitted. A 6' wall is required along the property line adjacent to single family residential. The request is for PD-R. In this area we have considered 450 North as a dividing line between the single family and multi-family. There is multi-family to the north and east and single family to the west.

Dave Nasal (applicant) – we took comments from the last submittal and revised it to make this plan. They will be 3 bed 2.5 bath units in a 4-plex formation.

Commissioner Diane Adams asked if it is all one parcel.

Dave Nasal said there will be 10 separate parcels platted.

Commissioner Don Buehner asked what is around here.

John Willis explained there is single family south of this proposal and multi-family north of the proposal.

Chair Ross Taylor opened the public hearing.

Peter McCuddus – we got together as a community and I'm going to try to be the voice so you don't have to hear multiple people. I represent the single family to the west and south of this project. We bought in this area because it was zoned for single family. We care about this community. We don't want it to change. We like the lifestyle we have now. This would infringe on our quality of life. In 10-7b-1 it states the purpose of the zones to be established and protected. In the vision and goals of the city 4-2-10 growth is well maintained and doesn't go over what is currently available. Kids in this area go to 3 different schools. We are maximizing

the city's resources here. Where are the new kids going to go? There's not another area to put a school here. We already have high density around us. I don't tend to make friends in multifamily communities. We make friends with people in the single family areas as they are there and want to be there long term. I want to get reports from the police to know how many problems are in the area because of the multi family. There have been drug busts in the area. I know it can happen in SF areas but it is more prominent in multifamily housing. There is a bad intersection here. The traffic is ridiculous. There needs to be a light out here because of the semis heading to the industrial park. There needs to be a balance. There is already multifamily housing out here. A single family area is a firm foundation for the community as a whole. We're not against development we just want it done as single family.

Melody Wittwer – 2480 E is all single family homes. The children from these streets all play together. There are brand new single family homes on 450. If you add to the multifamily the children will suffer.

Judy Martinez – I am concerned with the corner of 450 by the low income housing project. I would love to see single family homes there. This area was quiet and has become chaotic over time. The corner by the condos is a problem because the number of people living there. The Census Bureau says and urban lifestyle tends to build condos. 1000 people per block in condos and 1000 people per mile in homes. There is a mess on that corner. Renters have more parties and more cars and traffic and noise. The crime rate has increased in this area. The American dream tradition is for single family homes. We now have low income housing there. The road is dangerous. Children should be able to play outside and they can't here because of the chaos. Condos attract a different kind of people and they don't need that here. I want a suburban area not an urban area. People don't want to live in condos forever. A single family home is the American dream.

Commissioner Nathan Fisher left at 7:34 pm

Mandy Gubler – there is not a need in the area for multifamily homes. North of the development is multifamily as well as to the east. This isn't a stagnant piece of land. There are single family homes being built in the area. We want people who are invested in the community like we are. Give the area a chance to develop as single family homes.

Baltor Demore – I chose to retire in St. George because of the hometown feeling and American dream. I just purchased a home directly west of the proposal. The area is already inundated with part time people. We need full time people here. Generating profits only is not necessary at this time. We love the area and would like it to remain.

Dave Nasal – I don't control the school district but there is a charter school looking into the Riverside/Mall Drive area. I don't think any of us considered ourselves bad people when we made less money or had a time where we couldn't afford as much. The police department does post the crime reports for the City and I've looked at this area and other neighborhoods and you would be surprised of the crime throughout the city but not specific to this area. The northern border multifamily housing is in support of this project. We have taken care in the architecture

and setbacks per the PD-R to help mitigate impact. The landscaping and open space is all greater than it needs to be.

Commissioner Diane Adams asked if the concept is rentals.

Dave Nasal said they will be platted for individual ownership to be purchased separately. Each 4-plex will be platted so one person would own 4 units.

Chair Ross Taylor closed the public hearing.

Chair Ross Taylor stated I have the concern with single family just across the street that were recently constructed and purchased. I thought this may have more of a buffer. I am also concerned about the traffic on 450.

Commissioner Todd Stahel said I've lived in townhomes and other places but if one person owns 4 units it will be an investment and rental property.

Commissioner Ro Wilkinson asked how many single family homes can go there.

John Willis said the current zone is R-1-7 which allows 5-6 units per acre so about 24 units depending on how the lots are configured.

Commissioner Don Buehner said a concern the first time was that the proposal took up natural single family area space but I do see this fitting in right there by SpringTree. The rental nature is a bit of a concern. This seems to be a buffer of some kind.

Commissioner Diane Adams said I was here from the first round of the submittal and at the end of the evening the message I left with was that if they wanted to do multifamily on the north that would be acceptable. I will say I didn't understand they would be sold as four units. I was looking for individual ownership. The single family homes would be much closer to you and there is a potential for a single family home to be rented. I think this is a good transition.

Commissioner Don Buehner said I agree completely with that statement.

Dave Nasal said we don't have a problem platting the units individually.

Assistant City Attorney Victoria Hales counseled that the Planning Commission can recommend approval, approval with conditions, or denial. Consider staff comments regarding density, elevations, and all aspects of the proposal including site plan, elevations, materials, etc.

Commissioner Todd Staheli asked how large the buffer is.

Councilman Joe Bowcutt said it would be the street.

Commissioner Diane Adams said previously there were 2 parts to the proposal.

John Willis said that 450 North ROW is 80'. It was built to a 66'. There will not be a wall along 450 it will remain open to maintain the same thing the Flats did. The single family lots are double fronting and are walled off on 450. I would imagine any other single family homes built on 450 would do the same thing. Once 450 continues through it will relieve some issues in the area.

Commissioner Diane Adams asked where access into the proposal is from. John Willis replied it is off of 450 and off of 2720. This project will need to improve their frontage and the city will participate in that as well. Councilman Joe Bowcutt there is a buffer on 450 and 2720. There is a buffer on the internal road and then there is the 30' setback. They have built a buffer into their proposal. Commissioner Don Buehner said there are buffer elements and disadvantages and advantages. I don't know that the buffer element proposed is right.

MOTION: Commissioner Diane Adams made a motion to recommend approval of the zone change item 5B for the Residences at 450 for 40 units as identified with the recommendation that the units be individually platted and owned and the site plans and other items as submitted.

SECOND: Commissioner Ro Wilkinson

AYES (2)

Commissioner Ro Wilkinson

Commissioner Diane Adams

NAYS (4)

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Todd Staheli

Commissioner Julie Hullinger

Motion fails.

MOTION: Commissioner Julie Hullinger made a motion to recommend denial of the zone change as presented.

SECOND: Commissioner Todd Staheli

AYES (4)

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Todd Staheli

Commissioner Julie Hullinger

NAYS (2)

Commissioner Ro Wilkinson

Commissioner Diane Adams

Motion carries to recommend denial.

Chair Ross Taylor recognized the scout group in attendance.

6. **REDUCED SETBACK (RS)**

Consider the reduction of the required side yard setback of ten feet (10') located along the west and east property lines to a zero (-0'-) setback for the proposed 60,000 sq. ft. boat storage building and for a reduction of the required side yard setback of ten feet (10') located along the east property line to a zero setback (-0'-) setback for the proposed

7,000 sq. ft. office and storage building. The property is zoned M-1 (Industrial) and is located at 750 North 2950 East. Case No. 2015-RS-002 (Staff – Ray Snyder)

Ray Snyder presenting – this is an item for PC approval. The request is to have the west and east property lines reduced to 0'. This is an unusual property adjacent to Pine View High School. The zoning is M-1. There are renderings in the packet for your review. There will be two buildings on the site. They will go to a 0' setback to avoid weeds and to utilize the site as best they can. To go to a 0' they must have fire rated walls. The applicant will install solid block walls to meet the zoning and fire codes. Landscaping will be required on 750 north. Staff does support the request for a 0' setback for the eastern and western property lines. There is no reason to allow for the weeds to grow in between the proposed project and school. Due to the shape of the lot it would be best to utilize it'.

Chair Ross Taylor asked if there are utilities there and asked that the drainage issue be explained. Aaron Homer, applicant – the drainage was a big challenge. 600' of building is quite a lot. There is a pitch to the building that would have the water drain to the front. There is a 30" from top to bottom that will be used as a rain gutter and reservoir. In the rear of the property there will be a retention area and we understand the water must drain within 24 hours and cannot be stagnant. There is a storm drain along the high school that we will tie into and disperse the water. It'll be a gravel cistern with drains at different levels.

Assistant City Attorney Victoria Hales asked where it drains to.

Aaron Homer said there is a storm drain at the southeast corner of the field on our property. The school has tapped into that. All that water from the field runs into the drain and then comes out to the street a block south. The drain is on our property. It is not recorded with the City at all. Wes Jenkins said it is private and we have asked the applicant to work with the HOA to access that line as it was installed with the development to the south.

Assistant City Attorney Victoria Hales said we need to see that agreement.

Chair Ross Taylor asked if there is a drainage easement on the applicant's property.

Aaron Homer said no.

Assistant City Attorney Victoria Hales asked if the easement goes through the residential property to the south.

Aaron Homer said it goes through the residential to the street south.

Assistant City Attorney Victoria Hales said you must have a drainage easement as a condition of development.

Commissioner Don Buehner asked where the landscaping would be.

Aaron Homer said no landscape at all. This will be for RV and boat storage and there will be retail for items such as flags and accessories. This will be full service to clean the boat and wipe it down and then store it.

Commissioner Ro Wilkinson asked if the building is air conditioned.

Aaron Homer said the front will be air conditioned and the rear will have fans. We're still debating the heating.

Councilman Joe Bowcutt clarified that the request is for reduced setback only.

John Willis said that is correct. The rest is reviewed at staff level and they will have to comply with the code regarding all other requirements.

MOTION: Commissioner Ro Wilkinson made a motion to accept the reduced setback and get proper easements.
SECOND: Diane Adams
AYES (6)
Commissioner Don Buehner
Chair Ross Taylor
Commissioner Todd Staheli
Commissioner Julie Hullinger
Commissioner Ro Wilkinson
Commissioner Diane Adams
NAYS (0)
Motion carries.

7. **PRELIMINARY PLATS (PP)**

- A. Consider approval of a preliminary plat for a ten (10) lot residential subdivision development called **“Tonaquint Terrace Phase 4.”** The applicant is Development Solutions group. The representative is Mr. Logan Blake. The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at 1330 West 2440 South. Case No. 2015-PP-027 (Staff – Wes Jenkins).

Wes Jenkins said there is a change from the packet to what is on screen. There is a line change for the road to fix the densities. There will be rock retaining walls that are private and must meet ordinance.

Assistant City Attorney Victoria Hales noted that legal does not review preliminary plats.

MOTION: Commissioner Todd Staheli to approve Item 4A.
SECOND: Commissioner Julie Hullinger
AYES (6)
Commissioner Don Buehner
Chair Ross Taylor
Commissioner Todd Staheli
Commissioner Julie Hullinger
Commissioner Ro Wilkinson
Commissioner Diane Adams
NAYS (0)
Motion carries.

- B. Consider approval of a preliminary plat for a three (3) lot residential subdivision development called **“Tonaquint Heights Phase 3.”** The applicant is Development Solutions group. The representative is Mr. Logan Blake. The property is zoned R-1-

40 (Single Family Residential 40,000 sq. ft. minimum lot size) and is located at 1330 West 2440 South. Case No. 2015-PP-028 (Staff – Wes Jenkins).

Wes Jenkins noted that this changed as well to realign the road. This is a cluster development. There will be land dedicated to the city. The dash lines show the area of the lot that can be developed and the rest must be undisturbed. The final plat will need to give bearing of distance and be staked. They will need access in from the street.

Assistant City Attorney Victoria Hales asked if there will space outside the building envelopes designated as no disturb areas.

Wes Jenkins said it will be listed that only the pad may be disturbed.

Ryan Thomas, applicant, stated the dashed areas you see in the CCRs state 10,000 square feet can be disturbed. They can only disturb 10,000 s.f. but the pad shows where they can put that. We'll keep the natural vegetation and rock features there.

Assistant City Attorney Victoria Hales asked how the City is tracking the space to remain open for them to meet the R-1-40.

Wes Jenkins noted that this area was part of the hillside approval. The open space takes into account the rest of the property and overall density.

MOTION: Commissioner Don Buehner made a motion to recommend approval for item 7b subject to staff comments.

SECOND: Commissioner Todd Staheli

AYES (6)

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Todd Staheli

Commissioner Julie Hullinger

Commissioner Ro Wilkinson

Commissioner Diane Adams

NAYS (0)

Motion carries.

Item 7C and 7D have been pulled from the agenda.

- C. Consider approval of a preliminary plat for a fourteen (14) lot residential subdivision development called "**Hidden Pinyon Phase 3 and 4.**" The applicant is Development Solutions group. The representative is Mr. Logan Blake. The property is zoned PD-R (Planned Development Residential) and is located at 5700 North Hidden Pinyon Dr. Case No. 2015-PP-029 (Staff – Wes Jenkins).
- D. Consider approval of a preliminary plat for an eighteen (18) lot residential subdivision development called "**Northgate Peaks Phase 3 and 4.**" The applicant is Development Solutions group. The representative is Mr. Logan Blake. The property

is zoned PD-R (Planned Development Residential) and is located at 5700 North Northgate Peaks Dr. Case No. 2015-PP-030 (Staff – Wes Jenkins).

ADJOURN

MOTION: Commissioner Todd Staheli made a motion to adjourn.

SECONDED: Commissioner Julie Hullinger.

Meeting adjourned at 8:37 pm

**PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH
October 27, 2015 – 5:00 PM**

PRESENT: Chair Ross Taylor
Commissioner Ro Wilkinson
Commissioner Todd Staheli
Commissioner Nathan Fisher
Commissioner Diane Adams
Commissioner Don Buehner
Commissioner Julie Hullinger
Council Member Joe Bowcutt

CITY STAFF: Assistant Public Works Director Wes Jenkins
Planning & Zoning Manager John Willis
Planner II Ray Snyder
City Surveyor Todd Jacobsen
Assistant City Attorney Victoria Hales
Building & Development Office Supervisor Genna Singh

EXCUSED:

FLAG SALUTE

Chair Ross Taylor called the meeting to order and asked Commissioner Fisher to lead the flag salute at 5:02 PM. Chair Taylor noted that for votes to pass they must be unanimous. Chair Taylor also noted that item 3B for Kachina Springs has been pulled from the agenda and will be heard at a later date.

1. **FINAL PLATS (FP)**

- A. Consider approval of a twenty-nine (29) lot residential subdivision final plat for **“Escapes at the Ledges Phase 3”**. The property is zoned PD-R (Planned Development Residential) and is located at approximately 1720 W and 5000 North (north side of Escapes Drive). The representative is Mr. Brad Peterson, Development Solutions. Case No. 2015-FP-048. (Staff – Todd Jacobsen)

Todd Jacobsen presented the item with no comments.

*Don Buehner arrived at 5:05 pm – votes no longer need to be unanimous

- B. Consider approval of a seven (7) lot residential subdivision final plat for **“The Ledges of St. George White Rocks Phase 3”**. The property is zoned PD-R (Planned Development Residential) and is located at approximately 1550 West and 4840 North (at the south end of White Rocks Drive). The representative is Mr. Brad Peterson, Development Solutions. Case No. 2015-FP-051. (Staff – Todd Jacobsen)

Todd Jacobsen presented the item with no comments.

MOTION: Commissioner Nathan Fisher made a motion to recommend approval of final plats 1A and 1B and authorize chair to sign.

SECOND: Julie Hullinger

AYES (5)

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

NAYS (0)

Motion carries.

2. **FINAL PLAT AMENDMENT (FPA)**

Consider approval of an amendment for two (2) residential subdivision final plats (Paragon Cove Townhomes at Stonecliff Phase 2 and Paragon Cove Townhomes at Stonecliff Phase 4). The properties are zoned PD-R (Planned Development Residential) and are located on View Point Drive (lot 204) and Lepido Way (lot 411). The representative is Mr. Brandon Anderson, Rosenberg Associates. Case No. 2015-LRE-027

Todd Jacobsen presented the item. In between lots 411 and 204 there is common area. The HOA has approved the change to make it one lot. Lot 204 has a home on it with little back yard. Adding lot 411 to lot 204 will allow them to have a pool and garden area. The design will blend in with the surrounding houses so the impact will be minimal.

Commissioner Nathan Fisher asked if there will there be a 6' wall on the sidewalk.

Todd Jacobsen said they have building pads so they can only build to the extent of the pad. There won't be a wall it will look more like a house. Roof to roof will all be connected as one building.

Assistant City Attorney Victoria Hales asked if there is room to do that with the side yard setbacks.

Todd Jacobsen said the setbacks are built into the pad.

Assistant City Attorney Victoria Hales asked about the neck between the lots.

Todd Jacobsen said they'll use a breezeway to connect. If they stay within the pad lines they've met their setback.

Commissioner Don Buehner asked if they can put a fence across that space. Has this been done in the area elsewhere?

Todd Jacobsen said they could. There is an elevation difference there. This is the first I've seen back to front. Most are side to side.

Commissioner Don Buehner asked what the purpose of the common area that they will be obstructing is.

Todd Jacobsen said the common area was owned and maintained by the HOA.

John Willis added that many PD's utilize pads that are surrounded by limited common or common area maintained by the HOA. There isn't a lot size standard but there is a density requirement and open space requirement. The building pad is private ownership. The common area will go away with this change and will become part of their building pad.

Commissioner Julie Hullinger added that that area was limited common area that wouldn't typically be used for anything and that's why the HOA relinquished it.

Assistant City Attorney Victoria Hales said I don't see a problem with it as long as the HOA has given that permission and then our standard rules will apply.

Todd Jacobsen explained that usually there is a plat to be signed with this. In this case the HOA will sign a deed to the owner and the owner will sign a deed to merge the areas into one. We're allowed to process this by document rather than amending both plats. Usually common area we require the plat amendment but because this affects two plats, we chose to go by document. The plats, when pulled at the County, will still show the common area and separate lots but if you do further research the documents will be recorded.

MOTION: Commissioner Julie Hullinger made a motion to approve item 2.

SECOND: Diane Adams

AYES (5)

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

NAYS (0)

Motion carries.

3. **ZONE CHANGE AMENDMENTS (ZCA)** (Public Hearings)

- A. Consider a zone change amendment request to construct a short term rental project "Magnolia Hills at Green Valley" with fourteen (14) buildings and forty-six (46) units on 7.49 acres in the PD-R (Planned Development Residential) zoning district and is located off of Plantations Drive between World Mark by Wyndham, Green Valley Spa, and Las Palmas. The applicant is Mr. David Nasal and the representative is Mr. Jeff Mathis, MRW. Case No. 2015-ZCA-023 (Staff John Willis)

John Willis presented the item: we will be looking at the elevations, site plan, materials, etc. This is part of the Green Valley PD and part of the request is short term rentals which are common in the area. The applicant is proposing just over 6 units an acre which fits the general plan of MDR. The buildings will be 3-plex, 4-plex and 2-plex units. The buildings will be under 35'. A portion of the property affects 1790 West which is a public street. They propose that the public street dead end into a private street. They must dedicate that area or provide turnaround. Public having to turn around on private property is a concern. They are required stalls for tenants as well as 15 guest parking spaces; they have provided 20 guest spaces. In addition to the normal parking there will be

private trailer parking for the residents to utilize. There is a recreation requirement of 9,200 s.f. and they have +15000 s.f. with a playground, open grass area, and pickle ball court. The open space requirement is 30% in the PD. They are providing 2.26 acres of OS and an additional 1.64 acres of native OS. They are to provide the dedicated turn around or abandon the street. The area east of the trailer parking is the requested native area. They have submitted a landscape plan as well. Most of the area has short term rentals so the request is consistent with the character of the area. The density is consistent with the general plan.

Chair Ross Taylor noted that short term rentals must have a significant amenity. What are the amenities here?

John Willis explained this project is part of the overall Green Valley PD. They are proposing the pickleball court, playground and open grass area.

Assistant City Attorney Victoria Hales read from the code 10-14-22: shall have a regulation 18 hole golf course or recreational facilities of one or more of the following courts, pool and clubhouse, or other recreational amenities. They're also required landscaping and other items.

Chair Ross Taylor asked if pickleball court meets the requirement.

Assistant City Attorney Victoria Hales said it can.

Commissioner Don Buehner asked what is currently allowed in the PD that is being modified with this request.

John Willis said they're not requesting anything out of the ordinary for this PD. Because it's a PD they have to submit the site plan and elevations, etc.

Councilman Joe Bowcutt asked if 1790 West street is currently public or private. If that is to be vacated then it becomes part of Magnolia?

John Willis said it is public and if vacated their HOA is to maintain it.

Assistant City Attorney Victoria Hales said it is the native open space on top of the landscape requirement.

John Willis said it is in addition to.

Commissioner Diane Adams asked if there is an HOA and if there is rental management company.

Dave Nasal said yes, there is common area to be maintained by the HOA. Rental management will be offsite similar to Las Palmas or Estancia.

Assistant City Attorney Victoria Hales asked if there will be phasing of amenities and the overall project. You need a phasing plan

Dave Nasal said we'll build them with the first phase.

Chair Ross Taylor opened the public hearing.

No public comments

Chair Ross Taylor closed the public hearing.

Commissioner Nathan Fisher said there is concern about leaving the entry way undisturbed. In other areas of the City the owner would be required to cut the weeds back. The rest of the developments in that area are all improved.

Dave Nasal noted if you look at Trendwest or Las Palmas they are on level ground. Adding water to the hillside is not a good idea. It's not so much not wanting to. Plantations Drive is to be completed eventually. The thought is to not landscape the steep slope.

Commissioner Diane Adams noted the weeds there are bad.

Dave Nasal said we aren't going to disturb the area.

Assistant City Attorney Victoria Hales said it has already been disturbed. It doesn't look like native open space it looks like disturbed open space.

Dave Nasal said below the container will have some units.

Commissioner Nathan Fisher said there is some flat space there that you can create a nice entry way. I am concerned with how it will look especially when the road is developed.

Dave Nasal said we're fine putting something down there to clean it up and make it look better.

Chair Ross Taylor said there needs to be a plan in mind to keep the weeds from overtaking the area.

Dave Nasal said we will look at something to improve that area.

MOTION: Commissioner Diane Adams made a motion to recommend approval of item 3A and we add a condition that the disturbed areas are to be landscaped to blend into the natural vegetation and that the amenities be included in phase 1 and that a publicly dedicated turn around is provided.

Commissioner Don Buehner asked if the motion includes staff's 5 points.

Commissioner Diane Adams amended the motion to include staff's 5 comments with the dedicated turn around preferred.

Discussion on the turn around

Commissioner Diane Adams amend the motion to allow for either option

SECOND: Commissioner Julie Hullinger

Commissioner Don Buehner asked if the motion includes the amenity in phase 1.

Commissioner Diane Adams said yes, the amenity is to be built with phase 1.

AYES (5)

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

NAYS (0)

Motion carries.

- B. Consider a zone change amendment request to change the Planned Development Master Plan from Open Space (P-4) to KS-5 (Residential) to create two (2) new single family residential lots in "**Kachina Springs East Phase 4**" on 0.49 acres in the PD-R (Planned Development Residential) zoning district for APN SG-6-2-10-1401. This property is within the 'Entrada Master Plan' area and is located on the east side of Cougar Rock Circle just east of the intersection with Magatsu Drive. The applicant is Kachina Dev Co Inc, Mr. Brian Chadaz and the representative is Mr. Scott Duffin, Horrocks. Case No. 2015-ZCA-024 (Staff John Willis)

Item was pulled prior to the meeting.

4. **DISCUSSIONS**

- A. Field trips for Planning Commission
- B. Quorum November 24, 2015 (due to Thanksgiving Holiday)?
- C. Other current items as required.

John addressed the discussion items.

ADJOURN

MOTION: Commissioner Nathan Fisher made a motion to adjourn.

SECOND: Commissioner Diane Adams

Meeting adjourned at 6:00 pm

**PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH
November 10, 2015 – 5:00 PM**

PRESENT: Chair Ross Taylor
Commissioner Ro Wilkinson
Commissioner Todd Staheli
Commissioner Nathan Fisher
Commissioner Diane Adams
Commissioner Don Buehner
Commissioner Julie Hullinger
Council Member Joe Bowcutt

CITY STAFF: Assistant Public Works Director Wes Jenkins
Planning & Zoning Manager John Willis
Planner II Ray Snyder
City Surveyor Todd Jacobsen
Deputy City Attorney Paula Houston
Assistant City Attorney Victoria Hales
Building & Development Office Supervisor Genna Singh

EXCUSED:

FLAG SALUTE

Chair Ross Taylor called the meeting to order and asked Commissioner Don Buehner to lead the flag salute at 5:00 PM.

1. **FINAL PLATS (FP)**

- A. Consider approval of a fourteen (14) lot residential subdivision final plat for **“Hawthorne Estates Phase 3”**. The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at approximately 3060 East and 3450 South (Ashton Drive and Tanoak Circle). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-050. (Staff – Todd Jacobsen)

Todd Jacobsen presented the item with no comments.

- B. Consider approval of a twenty (20) lot residential subdivision final plat for **“Sun River at St George Phase 47”**. The property is zoned PD-R (Planned Development Residential) and is located at approximately 1290 East 5080 South (Blue Star Drive and Silk Berry Drive). The representative is Mr. Brandon Anderson, Rosenberg Associates. Case No. 2015-FP-060. (Staff – Todd Jacobsen)

Todd Jacobsen presented the item with no comments.

MOTION: Commissioner Ro Wilkinson made a motion to recommend approval of item 1A and 1B and authorize chair to sign.

SECOND: Commissioner Diane Adams

AYES (7)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

2. **FINAL PLAT AMENDMENT (FPA / LLA)**

Consider approval of an amended residential subdivision final plat / lot line adjustment to adjust the **lot line between Kachina Springs East Phase 3** and the **parcel to the north** (SG-6-2-10-111) by moving it approximately ten feet (10') towards back of curb. The City is retaining the area as a utility and drainage easement. The properties are zoned PD-R (Planned Development Residential) and are located at 2139 West Cougar Rock Circle. The representative is Mr. Roger Bundy, R & B Surveying. Case No. 2015-LRE-029. (Staff – Todd Jacobsen)

Todd Jacobsen presented the item. This is on the north side of Cougar Rock Circle. There is a hatched area there to be changed. The existing phase line is on the northeast side of the private road. We want to move that 10' SW and it will follow back of curb. This adjustment will allow for a future phase and put the setbacks at the curb. We will retain that area as a public utility easement.

Commissioner Diane Adams asked if legal has reviewed this item.

Deputy City Attorney Paula Houston said yes.

MOTION: Commissioner Julie Hullinger made a motion to approve.

SECOND: Commissioner Nathan Fisher

AYES (7)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

3. **ZONE CHANGE (ZC)** (Public Hearing)

- A. Consider a zone change request to change 0.80 acres from the R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) zone to C-2 (Highway Commercial) to accommodate the future development of an auto service shop and car sales lot for '**Auto Gallery.**' The property is located west of (*adjacent to*) the existing Auto Gallery car sales lot at the corner of 700 South and 1100 East Street. The owner is Brink 14 Properties LLC, the applicant is Bluff Street Properties, and the representatives are Mr. Curren Christensen, NAI, and Mr. Brandon Anderson, Rosenberg Associates. Case No. 2015-ZC-025 (Staff Ray Snyder)

Ray Snyder presented the following:

The zoning is a piece of R-1-10 with commercial around it. The general plan is Commercial. The applicant provided more than needed for this zone change and that additional information is before you. The applicant will later come to staff for site plan review.

Chair Ross Taylor said it shows highlighted in yellow the R-1-10 and this request is for only part of that existing R-1-10, correct?

Ray Snyder said that is correct. It is for the property fronting 700 South.

Ross Taylor opened the public hearing.

Ross Taylor closed the public hearing.

MOTION: Commissioner Nathan Fisher made a motion to recommend approval of Item 3A to City Council.

SECOND: Commissioner Diane Adams

AYES (7)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

- B. Consider a zone change from R-4 (Multiple Family Residential) to PD-SH (Planned Development Student Housing) on 1.6 acres to accommodate a fifty-six (56) unit two hundred and sixty-five (265) bed student housing project called the "**Vintage at Tabernacle.**" Located at approximately 850 East Tabernacle. The owner is Redstone Residential Inc., the applicant is Mr. Chris McKay, and the representative is Mr. Tyler Hoskins. Case No. 2015-ZC-028 (Staff John Willis)

John Willis presented the following:

This is the first student housing project to come forward since the code has been amended to allow for PD-SH. This approval will be for building height, landscaping, density, parking, and other items. The zoning is R-4 and the general plan is COM. The proposal is in the Pedestrian Emphasis Area that allows for certain reductions and other allowances per the code. The building is 5 stories with the bottom floor as parking. They are proposing a pedestrian access to the south that would allow students to go to the North Instructional Building (NIB) of the University. The area is 1.6 acres. The code requires a minimum of 2.0 acres however the Planning Commission may recommend to City Council that the area be reduced. The project is proposing 35 dwelling units per acre. This zoning does allow for 40 units per acre. Part of the incentive of student housing is parking. The code allows for a requested reduction of 25% in parking. The parking may be reduced to .75 spaces per student if the following are met: the project is new construction with 10+ units and is in the PEA – each property shall clearly specify on rental contracts the parking restrictions, the property is to enter into an agreement with the City and University, monitoring requires a semiannual report of tenants in possession of auto mobile, bicycle parking is to be provided at a ratio of 1:10 students. The applicant is required 200 spaces with the reduction and have provided 209.

There is a proposed landscape plan of 46% landscape where the required is 20% in the code. They are providing street trees on Tabernacle as well as the perimeter of the property. The trees will help mitigate the building height. There is a recreation area requirement of 100 s.f. per unit which is 6,200 s.f. and they have provided 11,000 s.f. with a pool and spa with a courtyard. The driveways do line up with adjacent streets. The maximum height per the zone is 55' and they are requesting 66'. The frontage meets that height but the rear section is greater than the code allowance. There is an incline on the property and they propose the foliage to help mitigate that impact. There are design standards in the PD-SH zone and staff feels they meet the standards in the code. There is sufficient architectural relief. Materials will be stucco, brick and cast stone. The traffic study has been submitted and is under review.

Comments in the staff report:

There is limited land around the University and that is why this code was created. This zone is not intended for standard rentals or multi-family projects so there are multiple agreements needed to ensure it is student housing. 66' is the height request. Cross across agreements for pedestrian access is needed between the property and the University. The project spans 2 lots so a merger is required before construction. The reduction to .75 spaces per student if the 5 criteria are met and would be verified during the building permit and site plan review stage. 75% of the occupants must attend DSU and is a required agreement. Approval allows for up to 6 students per unit. Reduction in size from 2.0 to about 1 acre may be recommended for approval. On the lower elevation the front is 4 stories which is along Tabernacle. The elevation change is on the back and that bottom level will be parking. There will be an internal courtyard.

Flyby shown

Chair Ross Taylor asked if the 5 stories come to the back of the NIB or if it faces 100 S. The back parking lot is 10' above grade of 100 S so that 5th story is already above grade there. John Willis said from the front of Tabernacle there is a 14' grade change.

Chair Ross Taylor said from the rear to 100 S is another 10' grade change. So from 100 S to this the building will appear to be 78-80' high.

Commissioner Don Buehner asked if the parking lot is below the entire structure.

John Willis said yes. Parking will be accessed from Tabernacle. The parking will not be visible from the exterior.

Councilman Joe Bowcutt expressed concern that the sewer may not be deep enough on Tabernacle. Tyler Hoskins (representative) – the bottom two levels are parking so we won't need sewer for the bottom levels. There will be drainage that we will have to address. The livable area will be one story above Tabernacle.

John Willis added that items such as drainage and sewer will be addressed during the construction drawing phase.

Chair Ross Taylor opened the public hearing.

Chair Ross Taylor invited the applicant forward.

Chris McKay and Grant Collard

****Chris McKay and Grant Collard presented photos of existing projects****

Grant Collard explained that our company is out of Provo, Utah and serve about 10,000 students. This property size is a boutique for us. Having under 300 beds allows for life long connections. We know Dixie State needs more student housing. We've operated this floor plan in other projects and find it to be successful.

Chris McKay added there are a lot of dilapidated student housing products around the University and there is a need for a comfortable and up to date building. We love the underground parking with cars off the street. There are behavioral guidelines that students must adhere to in order to maintain an upscale image for the product and for the University in general. We have met with the University multiple times and they too are on board.

Paul Morris – VP Administrative Services (DSU) explained that the University doesn't formally approve off campus housing. We have identified student enrollment growth as our biggest challenge and we need housing. We're building 350 beds to replace some of our older units. We appreciate the PEA created. We cannot provide the beds we need on campus so we need help from the private sector.

Councilman Joe Bowcutt asked how high the building will be on 100 South.

Paul Morris said it's 4 stories.

Chair Ross Taylor noted there are requirements for 75% occupancy of students and the automobile limit.

Grant Collard explained that we run 4,000 beds at BYU and they track strictly who is there so we have those reporting procedures in place from experience.

Chair Ross Taylor closed the public hearing.

Commissioner Julie Hullinger said it appears to be a great project and we need it.

Commissioner Don Buehner agreed. The height is a challenge but the space is so difficult. I can't imagine an issue from 100 S with that height so there is a benefit outweighing the potential negative. This will benefit our downtown area as well.

Chair Ross Taylor stated the applicant will need to find some ambitious trees for 100 South and tall shrubbery.

Commissioner Nathan Fisher agreed that mature trees need to be planted and not 2 gallon trees. Tabernacle may not be as big of a deal but it is important project wide. Is ventilation for the parking down below reviewed at the construction drawing stage?

John Willis said the International Building Code.

Deputy City Attorney Paula Houston asked what the purpose of the traffic study is and will it affect the project.

Wes Jenkins replied we met with the engineer for the study. The biggest impact will be 1000 E and 100 S for left turns. There is a struggle there now and it is not an issue they are to resolve. There are existing problems in the area.

Commissioner Don Buehner stated parking on campus is difficult and will get worse. The proximity of this to me makes it seem there will be fewer problems.

Wes Jenkins said that is why there is the pedestrian cross access to the NIB.

Jennifer Harrington – instructor at health science – our building is not part of the main campus. The campus is not just that one foot print. The health science building is by the hospital so many students must commute and our department is expanding. I think you need to take that into consideration if students are taking classes from our department.

Chair Ross Taylor said we're looking at everything tonight as far as design, parking, etc.

Commissioner Nathan Fisher asked if the analysis of the traffic study needs to be a condition on the motion.

Deputy City Attorney Paula Houston said they don't expect an issue but yes you should condition approval to compliance with the study. You're approving the PD zone, the height, the density, lot size which must integrate into the surrounding area in a harmonious manner so you must make a finding to that regard, as well as the materials, elevations and the terms staff has listed for the zone such as the use, parking, student housing requirement, landscaping, etc.

Chair Ross Taylor noted that staff's comments cover those items.

Deputy City Attorney Paula Houston noted the contracts are not in that list and need to be stated as well as merging the lots.

John Willis stated that comment 11 addresses the other agreements. The only items left out would be the traffic study.

MOTION: Commissioner Diane Adams made a motion to recommend approval of item 3B zone change taking the property from R-4 to PD-SH given that it is only 1.6 acres to accommodate 56 units and 256 beds. This is within the PEA. We understand it is fewer than 2.0 acres but is within the PEA to allow and accommodate. Subject to the site plan, elevations and materials board. Will follow setbacks of zone and meet fire code. Construction is to start within 18 months. 64'8" height allowed rather than the 55' per code. Project is subject to

cross access with the University to the south, conditions of the traffic study to be met, a lot merger is required prior to construction, parking to be reduced to .75 spaces per student, 75% of the occupants must be students. All of staff's comments are to be included in the motion.

SECOND: Commissioner Todd Staheli

AYES (7)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

4. **ZONE CHANGE AMENDMENT (ZCA)** (Public Hearing)

- A. Consider a zone change amendment to **expand** the **IHC Medical Campus** by the construction of three (3) new buildings, remodeling portions of the existing building, adding a new two (2) story concourse, adding additional parking, landscaping, providing a temporary one (1) story building, and by the creation of a "Livewell Park" on property zoned PD-C (Planned Development Commercial). The property is located on River Road (between Medical Center Drive & Foremaster Drive). The applicant is IHC and the representative is Mr. Steve Kelly. Case No. 2015-ZCA-026 (Staff Ray Snyder)

Ray Snyder presented the following:

The request is for a new north tower at 5 stories and a new south tower. A concourse will be added to the middle. Parking will be added throughout and a new live-well park will be behind the hospital. The materials board has been provided. The materials will blend in with the existing structure. There will be a temporary building there by the concourse.

Deputy City Attorney Paula Houston and Assistant City Attorney Victoria Hales switched at 6:02 pm

There is a break down of the new buildings and heights provided in your packet. The proposal is in harmony with the existing building. When the civil engineering plans come in we will review the parking calculations. There will be additional parking areas and modifications to the existing parking. At first glance there are no red flags. There are no changes to the helicopter pad. The new live-well park is included in this approval.

Steve Kelly (architect - project manager)

Scott Wycoff (planning director for IHC)

Steve Wycoff said we're excited to begin this process. This hospital has been a success and there are needs for this expansion. There will be 406,000 s.f. added. The existing hospital is 425,000 s.f. There will be 70,000 s.f. of remodeling to make connections and update the spaces. The one story temporary building is to help accommodate some immediate growth for surgery patients and

observation patients. Those who go to ER who need minor treatment and to be watched would go to this area rather than placing them in impatient beds. There will be 18 new observation beds added to the ER but until that is done we will need the temporary building. It will match the existing hospital with flat walls and we anticipate that being there about 18 months. The construction process will have all three locations going consecutively and will take about 3 years.

Commissioner Nathan Fisher said the temporary says June of 2018.

Steve Wycoff noted it is a bit of an unknown but it will be 18 – 24 months depending on the soil conditions. We anticipate no longer than 24 months.

Commissioner Nathan Fisher said as we add buildings there is less parking immediately by the hospital. Are there access routes to get from the east side parking to the hospital?

Scott Wycoff agreed there are parking concerns. We plan to have all employees on the east lot and leave the front parking for visitors and patients. Valet parking will also be continued. There will be a second bridge built for employees to cross. Access to the ER will not change. The new building will be to the west of how you access it currently.

Councilman Joe Bowcutt asked if emergency vehicles can go through the physician parking on the east.

Scott Wycoff explained there is a bay that they can park and they will access the same or they can go through the south road.

Chair Ross Taylor asked what is the progress on the underground transit from the hospital to Coral Desert.

Scott Wycoff said there was an plan at the wash to do a walking trail. We want to do that project with the City when the culverts are replaced.

Chair Ross Taylor opened the public hearing.

Chair Ross Taylor closed the public hearing.

MOTION: Commissioner Julie Hullinger made a motion to approve item 4A as presented.

SECOND: Commissioner Todd Staheli

AYES (7)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

Commissioner Todd Staheli stepped away at 6:20 pm

- B. Consider the ‘use’ addition of “**Art Studio / Gallery**” to the Baron Commercial Center approved PD-MNF (Planned Development Manufacturing) zone use list. The center is

located at 620 North 1100 East Street. The property is zoned PD-MNF. The applicant is Mrs. Miken Larsen. Case No. 2015-ZCA-027 - (Staff Ray Snyder)

Ray Snyder presented the item:

Zoning for this piece is PD-MNF. The owners association has reviewed the request and recommended approval of the additional use. This will add line item 17 "Art Studio/Gallery" to the approved use list. There have been no calls or inquiries regarding this item.

Chair Ross Taylor opened the public hearing.

Chair Ross Taylor closed the public hearing.

MOTION: Commissioner Nathan Fisher made a motion to recommend approval of item 4b.

SECOND: Commissioner Diane Adams

AYES (7)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

- C. Consider a zone change amendment request to change the Planned Development Master Plan from Open Space (P-4) to KS-5 (Residential) to create two (2) new single family residential lots in "**Kachina Springs East Phase 4**" on 0.49 acres in the PD-R (Planned Development Residential) zoning district for APN SG-6-2-10-1401. This property is within the 'Entrada Master Plan' area and is located on the east side of Cougar Rock Circle just east of the intersection with Magatsu Drive. The applicant is Kachina Dev Co Inc, Mr. Brian Chadaz and the representative is Mr. Scott Duffin, Horrocks. Case No. 2015-ZCA-024 (Staff John Willis)

John Willis presented the following:

This is an amendment to allow for two single family lots. It is in the Entrada master plan. This parcel is entirely open space currently. The area to the north was required for drainage. It was believed the entire area would be needed for drainage but it has been determined that it is no longer needed. The current PD plan shows this as open space. The applicant proposes that the lower portion be placed in their KS-5 designation which is residential per the Entrada master plan. Entrada's PD established lot counts. The staff report states this is an increase in units. That is incorrect. There are available units that have not been utilized in the project. The only change is the land use exhibit and an updated land use chart. Staff is concerned that the two lots do not meet the character of the area. These proposed lots are .23 and .25 of an acre. The lots on the adjacent area have .40 and above lot sizes. Across the street from the proposal is a 3' wall and large

windows. Staff doesn't see the lots across the street as cohesive to this but rather the adjacent lots. There have been several letters received regarding this item.

****Scott Duffin showed a presentation****

Brian Chaddez – I'm an authorized representative for Kachina Development Company. The developer previously obtained approval from the Entrada design community. Since the area is no longer needed as a detention basin it leaves an awkward piece of land that needs to be used for something. The land was offered to Jack Fisher Homes to allow for a pool and park area but that fell through. It was also offered to the club and denied. It was also offered to the HOA for a park or pool and was not accepted. The property is an eyesore at this time and needs something done. The property has been used as a staging area. There are patio homes as smaller units and then there are custom homes lots that are bigger. There is also an elevation change between the proposal and existing custom homes. If this were to be one home they would have 300' of frontage rather than 100-150' of frontage like the adjacent homes. The patio homes have about 70' of frontage. There will be an easement to the detention basin. The lots would be subject to the same CCRs as the rest of the community.

Scott Duffin added that I have done a drainage study with the Vistas at Entrada and looked closely at this area. What they have there is adequate as long as it is maintained properly.

Commissioner Don Buehner asked what the lot sizes are for the bigger lots.

John Willis responded that the total acreage is .6 but the buildable area is .4 acres.

Scott Duffin stated both proposed lots are about .27 acres.

Commissioner Don Buehner asked what size the patio pads across the street are.

Scott Duffin said they are 6,000 s.f.

Chair Ross Taylor said that would be .15 acre or so.

Scott Duffin said those would be deeded as private ownership for the building pad with limited common around.

Councilman Joe Bowcutt said I can understand the challenge of the long frontage but I also have a challenge with a small building lot. If I was the guy right next store I would not be impressed. The transition is drastic.

Scott Duffin countered that those lots have not yet been sold.

Brian Chaddez said if there is one large lot it wouldn't fit with the patios across either.

Chair Ross Taylor asked if there is debris in the existing detention basin.

Brian Chaddez said there is debris that goes into the area which is why there is an easement to get into the detention area.

Scott Duffin said there will be building pads with limited common area.

Commissioner Nathan Fisher asked what the buildable area is.

Scott Duffin said it is in the .2 range.

Commissioner Nathan Fisher asked if access is through the limited common area.

Scott Duffin said that is correct.

Chair Ross Taylor asked if the basin flows onto the adjacent property.

Scott Duffin said it will go to the street before it would go to the adjacent property.

Chair Ross Taylor opened the public hearing.

Robert Rohand – I'm in a patio home across the street. I submitted a letter objecting to this proposal. In essence when I purchased it was for the view. The view of Snow Canyon is beautiful and the area across from me was not zoned for residential. Building on these lots would greatly obstruct my view. I've looked at the 33 units at Vistas and 22 on Cougar Rock and there are many still available. Kachina East also has vacancies. I bought under the premise that this was open space and would remain that way.

Chair Ross Taylor closed the public hearing

Brian Chaddez said again these are not additional units, just new lots. The area doesn't look good so allowing this to develop will add to the values of the adjacent homes.

Commissioner Don Buehner said it doesn't sound like the neighbors are in favor of the proposal. There are other options to building homes that would allow you to keep the open space.

Brian Chaddez agreed but the club and HOA were offered the property at no cost and they decided they did not need the property.

Commissioner Don Buehner said open space would also work and would have to be maintained by the HOA.

Brian Chaddez said the development already has quite a bit of open area. The entities to keep this up do not want to take on that role.

Commissioner Don Buehner said there can also be recreation type space there that they don't want but it can remain open. Note that staff has concerns about the fit.

John Willis said the patio homes across the street are enclosed and stand alone. They back this shared road. The area adjacent has larger lots and this would fit better with the larger lots.

Commissioner Nathan Fisher said the buildable area needs some clarification – how realistic is to put a house there?

John Willis stated typical lots are 80-100' of frontage. These are a bit larger frontage but the lot shape is a bit odd and the buildable area is reduced due to the setbacks.

Commissioner Nathan Fisher asked what the requirement for maintaining the open space area is. Assistant City Attorney Victoria Hales said they do have adequate open space. I do not know the private agreements but the open space should be addressed in their CCRS.

Commissioner Nathan Fisher asked if the City regulates what open space can become.

John Willis explained that if it's to remain natural the narrative is to address that. If it ends up becoming a weed patch they must maintain it.

Assistant City Attorney Victoria Hales said their private documents should address that but other than that the area cannot become a nuisance.

Chair Ross Taylor said if you look at a lot with 225' of frontage and only 90' of depth it is hard to use effectively. Two lots seems more functional than one lot to me.

Commissioner Nathan Fisher stated I would like to see the developer have the best use of the area but if you look at the houses at the larger lots they are not small patio homes they are significant custom homes. I'm concerned these lots are not consistent with that.

Brian Chaddez said the patio homes are small pads. The lots are a bit cumbersome but a good architect can design around that.

Assistant City Attorney Victoria Hales stepped out at 7:07 pm

Chair Ross Taylor noted this is a high traffic area of the project and I think one lot will be difficult. Commissioner Nathan Fisher said when you drive into this area it is clear they are not patio homes. Brian Chaddez disagreed. When you drive the curve it is the patio homes.

Commissioner Nathan Fisher said there was an expectation for open space and views when there is an established area master plan.

Brian Chaddez said the open space was set out for a detention basin. It was never established as a pristine area. We're not taking away a promised open space.

Commissioner Don Buehner said I take issue with that. The idea is that that area was not buildable and the request is to change that.

MOTION: Commissioner Nathan Fisher made a motion to recommend denial.

SECOND: Commissioner Don Buehner

AYES (4)

Commissioner Julie Hullinger

Commissioner Diane Adams

Commissioner Nathan Fisher

Commissioner Don Buehner

NAYS (2)

Chair Ross Taylor

Commissioner Ro Wilkinson

Motion to recommend denial passes.

Recess at 7:17 pm

Meeting reconvened at 7:25 pm

5. **ZONING REGULATION AMENDMENT (ZRA)** (Public Hearing)

Consider amendments to the following chapters and sections in Title 10 Zoning regulations regarding **accessory buildings**: 10-2-1 Zoning Definitions, 10-7A-4 Height Regulations, 10-7A-6 Modifying Regulations, 10-7B-4 Height Regulations, 10-7B-6 Modifying Regulations, 10-7C-4 Height Regulations, 10-7C-7 Modifying Regulations, 10-7D-5 Height Regulations, 10-7D-7 Modifying Regulations, and 10-14 Supplementary and Qualifying Regulations. Case No. 2015-ZRA-002. (Staff John Willis)

John Willis presented the item:

This code amendment addresses several issues with accessory structures. It defines cargo containers and it removes accessory structures from individual code sections and places them in one area of the code for easier administration. Each residential code section had provisions for accessory structures. We've removed accessory structures from individual sections and placed it in one section. The definition of an accessory structure has been modified. Structures with living area such as a pool house, guest house or casita do not fit into the definition. We have also defined cargo containers. Accessory structures will be administered through the supplementary and qualifying regulations section of the code. The language existed in other sections of the code and is now located here. There is a change in the code addressing structures placed in the utility easement.

Commissioner Ross Taylor said not all accessory buildings require a building permit correct.

John Willis said that is correct, we will add language stating if a building permit is required. We will remove the end portion of that. The other modification is the non portable. The easements have interest from the City and from utility companies so the City doesn't have authority to allow a structure to encroach without going through JUC. Accessory buildings shall not cover more than 25% of the rear yard. We removed the provision to allow for a CUP for greater than 25% as it is something that has not been utilized. We measure height of structures from the midpoint of the roof between the eave and the peak to be consistent with the building code.

Councilman Joe Bowcutt asked if the garages that have come in the past will now be measured differently.

John Willis said that is correct. We default to the definition of height and don't expressly state it with accessory structures.

Councilman Joe Bowcutt asked how this will affect pool houses with breeze ways.

John Willis said that would make the structure connected and not an accessory structure. This does not address what a connection is. Main dwelling and accessory separation is 6' (used to be 10'). This makes the side and rear yard consistent. 8 is a change – there was a table that was difficult to administer. The proposal is to remove the setback per vertical wall and set one standard. We felt that removing the vertical wall and maintaining the height of 15' would address any issues. In determining the 5' setback we looked at fire code which has a minimum of 3' for review. We also looked at overhang. The setback may be 5' but the projection allowance is 4'. This will remove the vertical wall height, reduce the number of CUPs being processed, and creates a consistent setback.

9 – accessory in side yard – we've added similar roof pitch

Councilman Joe Bowcutt asked if the side yard still has the curb setback.

John Willis replied it has to meet setbacks of the zone for side yards.

Commissioner Nathan Fisher asked if it's in the rear of the property but on the side is that side yard or rear yard.

John Willis stated the back plane of the house is rear yard. Staff has been working on this code change for some time now and many changes have been integrated into this submittal. The side yard roof pitch is to ensure the design matches the house. Originally side yards do not allow for accessories in the side yard. Temporary buildings may be approved temporarily with a valid building permit. Vertical stacking of containers is prohibited. Temporary structures do not need to be painted. There are also modifications to double fronting lots in residential zones and to the guesthouse separation distance.

Commissioner Nathan Fisher asked for clarification on section 10-14-15A temporary building. It states building non-conforming may be temporary residence during construction. Can a cargo container be a temporary residence?

Assistant City Attorney Victoria Hales said temporary buildings are typically trailers not containers.

John Willis said we can clarify that. We will specifically address cargo containers in that section.

Commissioner Nathan Fisher pointed out that clarification is needed on section – C – cargo containers may be temporarily approved.

John Willis agreed that should say may be used for temporary use.

Commissioner Don Buehner noted that 10-14-15C and 10-14-15A would be modified.

Chair Ross Taylor opened the public hearing.

Jonathan Zundell – I attended the work meeting and I was under the understanding I was under compliance with the changes. I do have a few concerns – my concern is the original ordinance states portable and non portable. That has been removed from the ordinance. That is not as concerning to me as the setback. The current ordinance addresses all of those and there is no reason to remove the option for a 0' setback. If you're within the 3' setback you need a 60 minute firewall. Throwing out a blanket ordinance I see makes it easier to manage but it limits our options as property owners. We don't need to get rid of the 0' setback. Projections from the roof are already not allowed and are already addressed. I do not think the 5' setback is a necessity. Making it more convenient for staff is not reason enough.

Councilman Joe Bowcutt asked what advantage the 5' difference makes.

Jonathan Zundell stated it takes up 5' of my yard. I would like to utilize my entire property. I would have to change my landscaping and such to accommodate.

Chair Ross Taylor said the 5' between you and the fence is a good place to collect garbage and is hard to maintain. It does take up space and is 5' wide of wasted space.

Assistant City Attorney Victoria Hales said there are utility easements that are wider than that. The 5' reduces what would be an existing easement. The block walls are up to 6' in height and accessory structures could be taller than that. With fire – the 5' is consistent with the 10' fire code between the property lines and buildings. It was carefully discussed and decided on as 5'. The 5' is less than the 7.5' utility easement but also considers fire code.

Jonathan Zundell countered that as long as there is a fire wall on both properties the structures can be up to the property line.

Assistant City Attorney Victoria Hales noted that the fire department is not here tonight. If you want them here we can arrange that. You can build closer to the property lines there are measures you can take to allow for that per the building code. If you want an accessory structure built to fire code that isn't something we're addressing.

Commissioner Julie Hullinger said I don't want an accessory structure right on my property line. I would appreciate the 5' setback.

Scott Roper – Kustom Container – can you apply for a CUP to reduce the setback? That would be a benefit for commercial containers.

Commissioner Nathan Fisher said that was 10-14-15 authorized use – there wasn't a significant change there. It allows for temporary during construction and I wanted to know if cargo units could be the temporary structure during construction. It cannot be used as temporary sales office during construction.

Scott Roper said every commercial and even residential subdivisions have on site offices which are typically 20' containers with doors, windows, and HVAC. We typically build those out of brand new units. They either have a container or sales trailer. That change will affect a lot.

Chair Ross Taylor said sales office or other commercial uses was not a concern.

John Willis added that 10' seemed reasonable as a separation.

Scott Roper explained that when we deliver to commercial areas space is a premium. Most choose to have the containers touching to limit trash or squatting between containers. Spacing those 10' would destroy their back areas.

Commissioner Nathan Fisher asked if the 10' separation is from a permanent building or between containers.

John Willis said staff can look at that. I don't know that we want the spacing either.

Scott Roper added that our equipment typically doesn't put them right next to a building. If we're putting them in a driveway the doors swing 4' so they're usually 5' from the building.

John Willis stated staff would like to move forward but will discuss with Scott potential changes needed for commercial container placement.

Assistant City Attorney Victoria Hales noted that staff will clarify the 10' between containers or 10' between containers and other structures as well.

Chair Ross Taylor said line 353 does need some wordsmithing.

Assistant City Attorney Victoria Hales stated staff can revise that between now and City Council as well as any other lines you see that need revisions.

Commissioner Don Buehner asked if there is a way to build in flexibility with the setbacks.

John Willis said looking at 0 lot line is rare. When you put eaves on a structure you need to be 1-2' away from the property line. The cargo containers can go up against the property line but then they need to meet the fire code and after talking to the fire department that is challenging.

Commissioner Don Buehner asked if staff would like to hold firm to the 5' setback.

John Willis said the idea of the 5' is to mitigate impact on the adjacent property as well as fire code. Setting up the standards for a CUP would be difficult. If you want to allow for a 0' setback then it just needs to be stated in the code.

Chair Ross Taylor closed the public hearing.

Commissioner Nathan Fisher said I typically favor the flexibility but I tend to favor pushing accessory structures away from the property line.

MOTION: Commissioner Nathan Fisher made a motion to recommend approval of the ordinance changes proposed with the following revisions: section 10-14-12 subsection 4, line 317, that the clause prior to obtaining building permit removed... subsection a – authorized and ... conclusion of the first sentence language similar to cargo may not be used as temporary residence... 10-14-15C – title to reflect that cargo containers may be approved for temporary use under the following standards. 15C.5 that the first sentence be revised to reflect that the purpose is not to create separations between containers. Definitions 10-2-1 sub paragraph 2 insert after one solid muted.... Or similar to main structure and then all of staff's comments included.

SECOND: Commissioner Ro Wilkinson

AYES (7)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)
Motion carries.

6. **GENERAL PLAN AMENDMENT (GPA)** (Public Hearing)

Consider a General Plan Amendment to change the land use designation from RESORT, TC (Town Center), MDR (Medium Density Residential), HDR (High Density Residential), and LDR (Low Density Residential) to COM (Commercial) on approximately 187 acres. Located at the **former St George Municipal Airport** on the Black Hill at approximately 500 West and from 300 South to 1600 South. Case No. 2015-GPA-010. (Staff John Willis)

John Willis presented the following:

The current general plan has multiple designations which were established in 2008. The plan was amended with a potential land sale but never moved forward. The proposal is to change each of those designations to commercial land use. There is a concept plan that utilizes the existing run way. DXATC is the biggest push for this change. That campus will be purchasing a chunk of land and has created a buzz there for other companies and services to follow. When you're looking down or driving down the area we wanted to maintain that old runway feel and pay homage to where we've come. There will be a trail on the exterior of the property that will have little outlets to overlook the City. We recognize the hillside there and will set buildings back to protect that. DXATC has submitted a rendering for the potential zone change and the city would like to maintain that feel up there. There will be a regulatory PD text at a future date. The City will comply with the hillside. Traffic will need to be addressed. Two new roads are anticipated and will be further analyzed with potential development. We have received a few citizen responses in regards to this.

Commissioner Diane Adams said there was a lengthy letter with items to address from Mr. Koontz.

John Willis replied that just the area on top is proposed to change, there are a few roadways identified for the area, the roads will do with each project as needed, weight loads is not something we typically review, commercial uses we don't see big box stores, we want it more as a tech center. There may be some little restaurants or retail but nothing big. The intent of the city is not to create a big box area and a PD zone change will outline all of that. The areas off of the hillside will be maintained as open space.

Assistant City Attorney Victoria Hales noted this is a general plan amendment so the exact uses are not at issue tonight. It is in your broad discretion if Commercial is appropriate for the area.

Chair Ross Taylor opened the public hearing.

Gerry Koontz – that was my letter. The letter doesn't address as well as what was presented tonight. I am not opposed just needed more information. There is a safety issue with the park located at the top of the hill. I live by the park and see the activity there. There is a concern with heavier traffic there by the park. Maybe some diagonal parking could be striped there. The street is quite narrow there. I see now that is out of the context of this change but it is an issue that needs to be addressed. There can be something done with the sky or the eyebrow to fix that area to repair the scar. If money is set aside from these land sales or development that could be considered.

Chair Ross Taylor closed the public hearing.

MOTION: Commissioner Julie Hullinger made a motion to recommend approval.

SECOND: Commissioner Nathan Fisher

AYES (7)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

7. **REDUCED SETBACK**

Consider the reduction of the required side yard setback located along the north property line from ten feet (10') to four foot (4'). Also consider a reduction of a portion of the required rear yard setback located on the west property line from ten feet (10') to approximately seven feet and forty-eight one hundredths inches (7.48') for a distance of approximately 28 feet - along the north west corner of the lot (*the rest of the setback would be maintained at the required 10 ft. – see site plan*). The property is zoned C-3 (General Commercial) and is located at 73 North 900 East on a 0.78 acre lot. This request would allow for the construction of a new shop building for “**Dixie 4 X 4**” as submitted. Case No. 2015-RS-003 (Staff – Ray Snyder)

Ray Snyder presented the following:

The current owners want to redevelop the site. They want a new 14,000 s.f. facility. The existing building will be demolished at the completion of the new building. The zoning and land use is commercial. All of the storage and debris will go away wit the new construction. The building will be an L shape. There is a tall retaining wall on the property. You can see the 4' distance from the existing building and retaining wall that they would like to maintain. There is a transmission line on the south side.

Jeff Mathis said this will be a great addition to the area and will clean up the existing debris and such on the property.

Councilman Joe Bowcutt said the 4' setback has been there for quite some time and has not been an issue.

Commissioner Nathan Fisher said there is a parking lot next to it. Is this a recommendation to Council or is it for Planning Commission to approve?

Ray Snyder said this is a Planning Commission approval.

Assistant City Attorney Victoria Hales counseled that a finding that the setback is not needed is to be stated in your motion.

Commissioner Diane Adams made a motion to approve substantiated by staff comments and find that additional setback area is not necessary.

SECOND: Commissioner Don Buehner

AYES (7)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.a

8. **DISCUSSIONS**

Discuss current items as required

John Willis stated that clarification is needed regarding item 3b and the mature trees.

Commissioner Diane Adams said she would like that included in the previous motion.

John Willis noted he will include mature trees as part of the motion in the report for Council.

Chair Ross Taylor stated that item 3B will be reopened.

MOTION: Commissioner Diane Adams made a motion to include mature trees in the landscaping requirements around the entire perimeter of the project.

SECOND: Ro Wilkinson

AYES (7)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

ADJOURN

MOTION: Commissioner Ro Wilkinson made a motion to adjourn.

Meeting adjourned at 9:12 pm.

**PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH
November 24, 2015 – 5:00 PM**

PRESENT: Chair Ross Taylor
Commissioner Ro Wilkinson
Commissioner Todd Staheli
Commissioner Diane Adams
Commissioner Don Buehner

CITY STAFF: Assistant Public Works Director Wes Jenkins
Planning & Zoning Manager John Willis
Planner II Ray Snyder
City Surveyor Todd Jacobsen
Assistant City Attorney Victoria Hales
Building & Development Office Supervisor Genna Singh

EXCUSED: Commissioner Nathan Fisher
Commissioner Julie Hullinger
Council Member Joe Bowcutt

FLAG SALUTE

Chair Ross Taylor called the meeting to order and asked Commissioner Todd Staheli to lead the flag salute at 5:03 PM.

The agenda will be altered to hear item 5 first and then the agenda will go as stated.

If following along with the audio please go to Item 5

1. **ZONE CHANGES (ZC)** (Public Hearings)

- A. Consider a zone change request to change approx. 47.957 acres from M&G (Mining & Grazing) and A-1 (Agriculture) to R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size) to accommodate the future development of a residential subdivision (**'Hawthorn'**). The property is located at approximately 3500 South and 3400 East. The owner and applicant is Development Solutions Group and the representatives are Mr. Steve Kamlowsky and Mr. Brad Petersen. Case No. 2015-ZC-029 (Staff Ray Snyder)

Ray Snyder presented the item. Staff has not received any comments from the public regarding this item.

Ryan Thomas (Development Solutions) – we chose to go with R-1-8 for this property because the builder chosen for this area feels that an R-1-10 is larger than needed for the product they build.

Chair Ross Taylor opened the public hearing.

Chair Ross Taylor closed the public hearing.

MOTION: Commissioner Ro Wilkinson made a motion to recommend approval.

SECOND: Commissioner Diane Adams

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (0)

Motion carries.

- B. Consider a zone change from RE 37.5 (Residential Estate 37,500 sq. ft. minimum lot size) to R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) on 3.131 acres to accommodate eight (8) single family residential lots. Located north of 750 North Street between 1300 West Street and Picturesque Drive. The owner is Mr. Don **Cannon**, the representative is Mr. Todd West, and the Surveyor is Mr. Kevan Bundy. Case No. 2015-ZC-032 (Staff Ray Snyder)

Ray Snyder presented the following:

There are two lots that are predominantly vacant. The eastern lot does have one home built. The request is to change the zone on both lots to develop something that would fit more with what is currently there.

Assistant City Attorney Victoria Hales asked if there is a strip of land across the back.

Todd West (applicant) explained there is a buried culvert there. Right at the edge of the property it becomes an open canal. The existing home will remain. Our lots will be larger than 10,000 s.f. with about 2,600 s.f. homes. We'll try to match the adjacent properties to tie the whole neighborhood together.

Commissioner Ro Wilkinson said that is a good fit there.

Chair Ross Taylor opened the public hearing.

Sonja Narin – Picturesque – the property is behind my home. Will there be two story homes allowed? 750 North has dirt that goes into the road so I want to know if that will be fixed. I am concerned about 790 going through. The additional traffic for the existing homes is a concern. I don't know that 8 homes can fit there with a street going through.

Commissioner Don Buehner said there would most likely be four homes at the connection so the increase of traffic would be minimal. The number of homes detail will come later. The change in zoning does seem to be a natural fit. The commission supports the road connection rather than a dead end there.

Commissioner Ro Wilkinson added that there doesn't seem to be major traffic there.

Sonja Narin replied that people do use 750 North when they don't want to use Sunset Blvd. A lot of people park on both sides of the street and the street isn't wide enough for that. Can they put two story homes?

Chair Ross Taylor explained that at this point it is just a zone change. They will need to come in with a preliminary plat in the future. If you go west on 790 North where does it intersect? Is that a busy road?

Assistant City Attorney Victoria Hales added that there is no restriction on building one story or two story in our code.

Wes Jenkins added that they will have to finish the road on 750 North and there will be curb, gutter and sidewalk.

Commissioner Don Buehner noted that 790 looks to be a loop that won't pick up thru traffic so the impact will be minimal.

Chair Ross Taylor closed the public hearing.

MOTION: Commissioner Diane Adams made a motion to recommend approval of item 1B.

SECOND: Commissioner Ro Wilkinson

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (0)

Motion carries.

2. **ZONE CHANGE AMENDMENTS (ZCA)** (Public Hearings)

- A. Consider a zone change amendment to the **Hidden Valley PD** (Planned Development) area by relocating the proposed church site 3.2 to the intersection of Road A (Hidden Valley Drive) and Road E (Athens Drive) and to move the school site 3.1 to the church's previous location. The church site is currently 5.2 acres and with this amendment will be reduced to 4.7 acres. The school site is currently 13.3 acres and with this amendment will be reduced to 8 acres. The reduction in size of both the church and school creates a remainder of 5.8 acres which would become a part of residential site 3.4 at the density of 8 du/ac. Residential area 4.1 will be reduced in density from 12 du/ac to 8 du/ac. The overall unit count and density will remain the same. The property is zoned PD-R (Planned Development Residential). The development is generally located south of Hidden Valley Road and west of Brigham Road. The land owner is SITLA, the applicant is Ivory Homes, and the representative is Mr. Darin Haskell. Case No. 2015-ZCA-031 (Staff Ray Snyder)

Ray Snyder presented the item. The applicant has revised the land use data table and map for the PD. Staff has no issues or concerns with the proposal.

Brandee Walker, Bush & Gudgell explained that the change is a timing issue for the school and church and this is what they've decided on.

Chair Ross Taylor asked if the school district is aware of the change.

Brandee Walker said yes, they prefer the change. The school district isn't ready to build and Ivory Homes is. The church is ready to develop now. The development of the road is the factor.

Chair Ross Taylor asked if the residential will be between the school and church.

Brandee Walker said that is correct and the school has a footprint that goes up now and takes up less ground.

Chair Ross Taylor opened the public hearing.

Chair Ross Taylor closed the public hearing.

MOTION: Commissioner Ro Wilkinson made a motion to recommend approval for item 2A.

SECOND: Commissioner Todd Staheli

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (0)

Motion carries.

- B. Consider a zone change amendment request to change the **Ledges PD** (Planned Development) Master Plan from Golf Course / Park Open Space to residential and increase designated short term rental areas on 11.8 acres. The proposed areas are located on the east side of Highway 18. The applicant is Development Solutions Inc. and the representative is Mr. Stacy Young. Case No. 2015-ZCA-030 (Staff John Willis)

John Willis presented the following: this is an amendment to modify the zone to reflect what was actually developed on the ground and to increase short term rental areas. There was an area in the northern part of the development where the golf course didn't need as much area as was planned. There is also an extension of the current approved short term rentals southward. They are not increasing the number of units or density just spreading the development across the previously designated golf course area. The short term rentals will be increased to 40 detached units. Right now the approval is for Escapes (160) and Fairways (41) and they are removing the previously approved WhiteRocks (64). Overall there is a decrease in short term rental units.

Commissioner Don Buehner clarified the short term rental reduction is for 14 units.

John Willis added that they meet the open space requirements and other requirements of the code regarding short term rentals. There shouldn't be a major impact with this change.

Commissioner Todd Staheli noted the proposal shows it going into an area that is already established. Is that single family already?

John Willis stated the proposal is moving into the golf course area. I don't believe the residential is developed. The area has not yet been developed or platted. The Whiterocks area is currently hatched for short term rentals but the hatching will be removed.

Stacey Young – Whiterocks pad sizes are comparable to the Fairways. The existing owners in the Fairways were amenable to bringing Whiterocks in as well as the Escapes. Whiterocks became redundant for that buyer segment. The new designation will have the mix to meet the markets. The current PD called for 18 additional holes of golf which is not appealing to the market by any means. We will come in at a later date with a more comprehensive picture of the area.

Chair Ross Taylor opened the public hearing.

Chair Ross Taylor closed the public hearing.

MOTION: Commissioner Don Buehner made a motion to recommend approval of Item 2B, Ledges PD Amendment, with the note that the Whiterocks area hatching (short term rentals) is to be removed.

SECOND: Commissioner Ro Wilkinson

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (0)

Motion carries.

3. **ZONING REGULATION AMENDMENT (ZRA)**(Public Hearing)

Consider a zoning regulation amendment to Title 10 Zoning Regulations Chapter 8A Traditional Neighborhood District (TND). Case No. 2015-ZRA-006 (Staff John Willis)

John Willis read in the item.

Chair Ross Taylor stated there are suggested modifications that are fairly comprehensive that need to be studied further.

Chair Ross Taylor opened the public hearing.

Stacey Young (applicant) said this is a result of efforts from the work meeting and staff.

Commissioner Don Buehner asked if the TND has a mix of products.

Stacey Young said yes and we do have a potential site in mind.

Chair Ross Taylor explained that the Planning Commission would like to study the proposal more before taking action.

Chair Ross Taylor closed the public hearing.

Assistant City Attorney Victoria Hales asked if the applicant agree to table the item.

Stacey Young said yes, we agree to table.

4. **CONDITIONAL USE PERMIT (CUP)**

Consider approval of a conditional use permit to construct a 4,484 sq. ft. accessory garage that would be approximately 21 ft. high (midpoint of roof). Mr. and Mrs. Judd Palmer are the applicants. The property is located at 1842 South 3430 East Circle and is zoned A-1 (Agricultural). Case No. 2015-CUP-013 (Staff – Ray Snyder).

Ray Snyder presented the following:

This property is at City limits. The home faces south on a private lane but the front of the property as far as setbacks is the public road to the east. There is an existing barn on the property. The roof peak is 26' and the midpoint is 21'. The proposed structure meets the setback requirements. This is a CUP so the findings need to be addressed. The proposal is quite large but it is in harmony with the size of the home.

Commissioner Todd Staheli asked how close the nearest neighbor is.

Ray Snyder replied there are large lots around it.

Assistant City Attorney Victoria Hales noted that it looks like they have created a lot for the home that is separate from the big lot. County records show separate lots, so my question is if the garage will be on the lot with the home and not stand alone. It does look like one APN but two parcels. There seems to be a flag to the house. That issue needs to be resolved so we know where the lot lines are.

Ray Snyder suggested if it's all one property there isn't an issue but if it has been divided then a condition could be to not approve.

Assistant City Attorney Victoria Hales counseled that the condition could be that the property be one lot of approximately 8.8 acres.

MOTION: Todd Staheli made a motion to recommend approval of item 4 with the condition that the property is one lot of 8.8 acres in size with the findings D match home, G height of 21' to the

midpoint, and J maintain character and purpose of zone.

SECOND: Commissioner Don Buehner

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (0)

Motion carries.

If following audio jump to item 6

5. **FINAL PLAT (FP)**

Consider approval of a final plat for a ten (10) lot commercial subdivision for “**Dinosaur Crossing Subdivision Phase 2.**” The property is zoned PD-C (Planned Development Commercial) and is located at the north east corner of Riverside Drive and Mall Drive from Mall Drive to 2200 E and Riverside Drive to the river. The owner is ‘Dinosaur Crossing LLC’, the applicant is ‘Smith’s Food and Drug Center’, and the representative is ‘AWA’ (Anderson Wahlen and Associates). Case No. 2015-FP-052. (Staff – Wes Jenkins)

Wes Jenkins presented the item. There are 10 lots. Lot 10 will be affected by the 100 flood plain and will need to build up out of the base flood elevation or complete a LOMR. Mitigation has been done. There are multiple access points to the site. There will need to be cross access agreements for the site. There are roadway dedications needed. There may be a traffic signal needed in the future and they have widened the road to accommodate that.

Commissioner Don Buehner noted lot 10 is in the flood plain. Dinosaur Crossing Road is Mall Drive? How does it lift out? What were you saying about the roads?

Wes Jenkins explained that Dinosaur Crossing turns into 2450 East. They have to raise the elevation of the building to be above the base flood elevation. They’ve dedicated 70’ wide and then they’ve widened in another area to allow for a future traffic signal. The item is subject to the cross access agreement with the final plat for access through lot 6 and lot 9 as well as the other access points.

Assistant City Attorney Victoria Hales added there are other agreements needed as well. There is a trail easement. They are moving the trail from one location to another. The City will need to quit claim area to them and then they’ll need to dedicate to us. The needed agreements are easement documents, quit claim deed, and warranty deed.

Commissioner Diane Adams asked that access be explained again.

Wes Jenkins stated there are two off of Dinosaur Crossing that go through lot 9, there is one through lot 6 and then there are two through lot 1.

MOTION: Commissioner Don Buehner made a motion to approve item 5, Dinosaur Crossing Subdivision Phase 2 subject to the agreements being completed: easements, quit claim deed, and warranty deed, cross access agreements, based on staff recommendation and authorize chair to sign

SECOND: Commissioner Todd Staheli

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor
Commissioner Diane Adams
Commissioner Todd Staheli
NAYS (0)
Motion carries.

If following along with the audio please go to Item 1A.

6. **PRELIMINARY PLAT AMENDMENT (PPA)**

Consider approval of a preliminary plat amendment to revise the original approval of eight (8) single-family residential lots and fourteen (14) pads to twenty-one (21) pads in a residential subdivision development called "**Red Cliffs Park.**" The original unit count for the development was 103 units, but with previous phases eliminating units and the addition of these patio homes the count will become 95. The property owner is Red Cliffs park LLC and the representative is Mr. James Sullivan. The property is zoned PD-R (Planned Development Residential) and is located at Colorado Drive and 2500 East. Case No. 2015-PPA-032 (Staff – Wes Jenkins).

Wes Jenkins stated the item has been pulled from the agenda.

7. **DISCUSSIONS**

Discuss current items as required

ADJOURN

MOTION: Commissioner Don Buehner made a motion to adjourn.
SECOND: Commissioner Todd Staheli
Meeting adjourned at 6:16 pm